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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 22 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 22 octobre 2001

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### HEALTH CARE FUNDING

**Mr George Smitherman (Toronto Centre-Rosedale):**

Today I would like to address the issue of the Sherbourne Health Centre Corp. I start by saying the government has a mantra, which is "Promises made, promises kept." But when it comes to health care, from the beginning, when Mike Harris said in debate, "It is not my intention to close hospitals," my riding of Toronto Centre-Rosedale has been the ground zero of failure on the part of this government to deliver on its health care commitments.

The decision was made to close the Wellesley hospital and force its merger with St Mike's. In response to that, the Health Services Restructuring Commission, on June 23, 1997, made a commitment to the people of Toronto Centre-Rosedale that their primary health care needs would be met through the opening of an ambulatory care centre to be located on the Wellesley Central Hospital site.

Here we stand, more than four years later, and the government has yet to deliver on this commitment. Communities have been forced to try to access health services which are in too short supply. The government is being forced to spend dollars that it need not spend because people are seeking access in emergency wards.

In request after request after request to successive Ministers of Health on that side, all we see is stalling; some dollars here and there to support administrative costs, but nothing to the bottom line responsibility of providing the necessary supports in health care to the people of Toronto Centre-Rosedale, many of whom are from immigrant communities and who are poor. I say to this government and to that minister in particular that it is time to put your money where your promises were.

#### SMALL BUSINESS WEEK

**Mr Carl DeFaria (Mississauga East):** I rise today to salute the entrepreneurs of my riding of Mississauga East. Today marks the first day of Small Business Week in Ontario, and I'd like to share with the House the contributions made by small business in my community.

Small business creates more than half of all new jobs in Ontario. Fifty-three per cent of net new jobs are created by small businesses with less than 50 employees.

In Mississauga alone there are over 9,000 small businesses employing over 90,000 employees. Since first being elected in 1995, I have seen the business development of my riding expand, thanks to the initiative of local entrepreneurs and the support programs available through our government.

I'm proud to be part of a government that has helped foster this growth and development. Through tax cuts, a balanced budget, the elimination of red tape and the removal of barriers, we have laid a solid foundation for both existing and new small businesses.

We have done a lot of work in this area. We have established support resources such as the small business enterprise centres. For new Canadians, the business immigration services helps immigrants involved in business with investment and business establishment decisions. We have also established the young entrepreneurs strategy, helping young people with loans up to \$15,000.

Today, I applaud Mississauga's business owners and employees for their contribution to the economic success and quality of life in Ontario. I salute their success over the years and wish them continued prosperity.

#### TRANSIT SERVICES

**Mr Richard Patten (Ottawa Centre):** For quite a few years now, many of us in public life have been debating how to manage the urban problems that arise from growth and the sprawl that comes with it. This dialogue has come to be called smart growth. Far too often, the solution proposed has only exacerbated the problems we were trying to remedy, and we know what the ensuing results are: endless traffic gridlock, a drastic increase in air pollution and its negative effects on our health, and ongoing political battles over who should get money to build bigger roads on which to put more cars.

It's in this context that I am pleased to tell the House today about the great progress that is being made in the Ottawa area. Last week, residents of that great city were introduced to a light-rail transit option, courtesy of a pilot project being run by Ottawa's public transportation system. The project will run over the next year and links the south end of the city with the east-west transitway at a junction less than a mile from Parliament Hill.

I had the opportunity to take one of the first trips aboard what has become known as the O-Train. This



marks a significant new chapter in public transportation in the national capital area. Along with the recent announcements by the provincial government to fund further municipal transportation, I hope this marks the beginning of a new era.

Congratulations are in order to everyone in Ottawa, and particularly to the transit group and Mayor Bob Chiarelli, who worked tirelessly to bring about this project from the drawing board to reality. To everyone else, I invite you to come and experience, free of charge, a new light rail transit system.

### OPTOMETRISTS

**Mr Peter Kormos (Niagara Centre):** This government should be moving promptly with amendments to Ontario's Optometry Act to give optometrists in Ontario the legal power to prescribe and administer certain therapeutic pharmaceutical agents.

Optometrists are incredibly well trained and perfectly qualified to prescribe, as a result of their diagnosis, certain of these drugs for any number of very common eye ailments, but the restrictive legislation here in Ontario doesn't give them that power. Indeed, down in Niagara, like in most of Ontario with its incredible shortage of ophthalmologists, people suffering from any number of eye diseases—including these diseases and disorders that optometrists are eager to treat as well as diagnose—are increasingly being denied access because of the shortage of ophthalmologists and this government's artificial cap on their billing capacity.

We know that these optometrists are trained and qualified to do it. Indeed, six jurisdictions in Canada already give them this power and capacity. Extending that authority, that power, to optometrists will improve the access that people in all our communities have to effective and speedy eye care and will start to address, in a very cost-effective way, the significant shortage of physicians and other health care services that this government has played no small part in creating. This government can now be part of the solution.

### FIREFIGHTERS' MEMORIAL

**Mr Bob Wood (London West):** Last week, I introduced a bill to establish a memorial at Queen's Park to honour the Ontario firefighters who have lost their lives in the line of duty.

One important function of this building and its environs is to show people the possibilities of the future, and they have performed that function well over the past century. Honouring those who have made contributions in the past is an essential way of inspiring people for the future. We do that here now for people who have served in elected office, the military and the police.

We are, of course, all well aware of the skill, dedication and courage that firefighters bring to their work. There are now a number of firefighter memorials across the province, and all are fitting and appropriate. It is,

however, at Queen's Park that the elected representatives of the people meet to do the people's business, and Queen's Park is necessarily at the centre of the public life of Ontario. Queen's Park is indeed a place for all the people of Ontario to do public business.

It is for that reason that I propose a firefighters' memorial now at Queen's Park, so that all Ontarians may pay homage to those who have sacrificed for us in the past and so that we may be inspired by their example to build a better future.

I ask all members of the House to support this bill.

1340

### INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

**Mr Dave Levac (Brant):** The 108th Annual Conference of the International Association of Chiefs of Police will take place in Toronto October 27 to 31. Along with thousands of police chiefs, other law enforcement personnel and special guests from around the world will be in attendance.

Founded in 1893, the IACP is the world's largest and oldest non-profit organization of police executives and has over 18,000 members in 99 countries, including Canada. The association's goals are to advance the science and art of police services; to develop and disseminate improved administrative, technical and operational practices and promote their use in police work; to foster police co-operation and the exchange of information and experience among police administrators throughout the world; to bring about recruitment and training in the police profession of qualified persons; and to encourage adherence of all police officers to high professional standards of performance and conduct.

At the conference the law enforcement executives will have the opportunity to attend workshops in over 90 topics, including: Every Chief has a Role in Winning the War against Terrorism; Effective Recruiting for Smaller Police Departments; and also, Reducing Police Use of Deadly Force through Proactive Management.

I am absolutely sure I speak for all of us in this Legislature when I welcome the members of IACP to Canada, Ontario and Toronto and wish you great success in the hard work you do to create a safer world in which we all can live.

### SMALL BUSINESS WEEK

**Mrs Tina R. Molinari (Thornhill):** I would like to take this opportunity during Small Business Week to highlight two very exciting business ventures that have been launched by high school students in my beautiful riding of Thornhill.

Two local Westmount Collegiate students are getting the jump on their journalism careers and hanging out with some of the music industry's biggest pop stars.

Senior students Adam Gonshor and Mike Levine never dreamed of the success they would have when they



first created their music Web site [www.andpop.com](http://www.andpop.com). Some of the bands they have met and interviewed include NSYNC, Dream, Sugar Jones, O'Town and soulDecision.

Adam and Mike started the site dedicated to pop music news, pictures and biographies for big stars and lesser-known artists from the US and Canada in August 2000. As a result of the success of their Web site, the two students, Adam and Mike, have enjoyed being guests of major record labels at events, including the Canadian Juno Awards, and have been hosting contests sponsored by major labels and their artists.

Thornlea Secondary School students Laurie Rose, Josh Sookman and John Carbrey are on a mission to accommodate the 1.5 million Canadians who shop online. These young computer whizzes taught themselves the basics of computer programming, and after seven months their [www.shopstix.com](http://www.shopstix.com) site was up and running. Today the site contains a directory of products from 725 Canadian stores, grouped into categories ranging from health and fitness to parenting.

Congratulations to the young Thornhill entrepreneurs and the best of luck to them all in their exciting adventures.

### CANADIAN FORCES

**Mr Mike Colle (Eglinton-Lawrence):** With Remembrance Day fast approaching, which this year will be on Sunday, November 11, less than three weeks away, let us all stop and reflect. Especially this year, after the catastrophe of September 11, let us reflect on the enormous sacrifices made by so many in days gone by to defend and protect the rights and freedoms we enjoy as Canadians.

Let us remember the bravery and the courage of so many war veterans who gave so much, and now we see a new generation of men and women in the war against terrorism. These brave Canadians are defending not only us, but also the civilized world against the unprecedented threat of worldwide terrorism.

Let us hope and pray that the evil and the destructive force known as terrorism will be eradicated from this earth. Let us hope that our brave young men and women from all parts of Canada will return safely, and let us hope that they are not taken for granted and forgotten.

So on November 11, let us make sure we take time to stop and say thanks and pray for our brave sons and daughters who have again gone off to a distant shore to defend this great country and our cherished Canadian values and freedoms.

### EVENTS IN DURHAM

**Mr John O'Toole (Durham):** I rise in the House to tell the members about the success of the Bowmanville Legion Pipe Band and the celebration of its latest milestone.

The band was founded in 1951 with the assistance of the members of the General Motors Pipe Band, who taught some of the original members. The band marked its 50th anniversary Saturday, September 15 with a dinner and dance at Branch 178 of the Bowmanville Royal Canadian Legion.

The Bowmanville Legion Pipe Band captured the Canadian championship for grade 4 pipe bands in Fort Erie this summer, and placed first three times in competitions this year alone. Currently it has approximately 20 pipers and drummers of all ages. Students as young as seven are learning to play the pipes under the direction of Don Brooks, the band's instructor and most senior member. Mr Brooks has been named lifetime honorary pipe major.

I'd like to extend congratulations to Pipe Major Jim Scott, the leader of the Bowmanville Legion Pipe Band, as well as pipers Don Brooks, Gord Adams, Kevin Wilson, Bill Colville, Ruth Ann Doiron, Joe Doiron, Mark Foster, George Findlay Sr, Rick Patterson, Jerry Taylor; and drummers Ted Berlinghoff, Doug Delaney, Greg Findlay, John Findlay, George Findlay Jr—there are three Findlays in the band—John Westover, Mike Laverty, Tom Hughes, Erica Watson and Ursula Loch.

I'd like to extend my congratulations to them for their dedication and hard work for providing entertainment and music and tradition for all the people of Ontario.

### VISITORS

**Mrs Claudette Boyer (Ottawa-Vanier):** On a point of order, Mr Speaker: I would like to acknowledge the presence of the proud parents of Benoît Poirier, page from Ottawa-Vanier. So, Monsieur et Madame Poirier, et félicitations, Benoît.

### INTRODUCTION OF BILLS

#### PROPAGANDA

#### ACCOUNTABILITY ACT, 2001

#### LOI DE 2001 SUR LA RESPONSABILITÉ EN MATIÈRE DE PROPAGANDE

Mr Kormos moved first reading of the following bill:

Bill 115, An Act to amend the Audit Act to require the Provincial Auditor to evaluate and report on the extent to which government advertising complies with guidelines / *Projet de loi 115, Loi modifiant la Loi sur la vérification des comptes publics de façon à exiger du Vérificateur provincial qu'il évalue la mesure selon laquelle la publicité gouvernementale est conforme aux lignes directrices et qu'il en fasse rapport.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Peter Kormos (Niagara Centre):** This bill is in response to a number of concerns raised over several



years. It amends the Audit Act to assign to the Provincial Auditor the function of evaluating the extent to which government advertising complies with stated guidelines, those guidelines expressed in this bill. If the auditor is of the opinion that government advertising is designed to promote or has the effect of promoting the interests of the party forming the government, he or she may recommend that the consolidated revenue fund be reimbursed for the cost. The evaluations and any recommendations are dealt with in the auditor's annual report.

## MOTIONS

### HOUSE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, October 22, Tuesday, October 23, Wednesday, October 24, Monday, October 29, Tuesday, October 30, and Wednesday, October 31, 2001, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Mrs Ecker moves that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, October 22, Tuesday, October 23, Wednesday, October—dispense? No? OK—Wednesday, October 24, Monday, October 29, Tuesday, October 30, Wednesday, October 31, 2001, for the purpose of considering government business.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim

O'Toole, John  
Ouellette, Jerry J.

Wood, Bob  
Young, David

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

### Nays

Bisson, Gilles  
Hampton, Howard

Kormos, Peter  
Marchese, Rosario

Martel, Shelley  
Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 73; the nays are 6.

**The Speaker:** I declare the motion carried.

1400

## ORAL QUESTIONS

### CHILDREN'S HEALTH SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Health. Last week—Thursday, in fact—I visited with parents, doctors and nurses in connection with your decision to make cuts to the pediatric programs at the London Health Sciences Centre, and I can tell you that those people are feeling angry and betrayed. Just before calling the 1999 provincial election, at a time when your government was fully aware that parents in southwestern Ontario had special concerns about cuts that might be made to specialized pediatric programs, your government made a very specific promise. Not only did you promise that there would be no cuts to those specialized pediatric programs, but your predecessor actually said she would consider additional resources to support those existing programs.

The question I have for you on behalf of those people in southwestern Ontario, but especially the families, is, why have you betrayed the people of southwestern Ontario?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Mr Speaker, let me make a series of assurances through you to the members of this House. First of all, the base funding for this particular hospital has increased 26% from the last fiscal year alone. Indeed, from 1997-98 to the present, their funding has increased by 36.7%. That is our commitment to that particular hospital.

The scoping exercise that was undertaken by the hospital board is estimated to impact approximately 1% of all patient activity at the hospital. I can tell this House that when it comes to clinical outcomes, that is what we are focused on. If the experts and the trustees made the decision that they cannot do these types of procedures in a way that accentuates and ensures the best clinical outcomes, then changes have to be made, and I would support them on that.

### Ayes

Agostino, Dominic  
Arnott, Ted  
Baird, John R.  
Bartolucci, Rick  
Beaubien, Marcel  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Bryant, Michael  
Caplan, David  
Clement, Tony  
Coburn, Brian  
Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph  
Crozier, Bruce  
Cunningham, Dianne  
Curling, Alvin  
DeFaria, Carl  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight

Gill, Raminder  
Hardeman, Ernie  
Hastings, John  
Hodgson, Chris  
Hoy, Pat  
Hudak, Tim  
Johns, Helen  
Klees, Frank  
Kwinter, Monte  
Lalonde, Jean-Marc  
Levac, David  
Marland, Margaret  
Martiniuk, Gerry  
Mazzilli, Frank  
McGuinty, Dalton  
McLeod, Lyn  
McMeekin, Ted  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn  
Newman, Dan

Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Runciman, Robert W.  
Sampson, Rob  
Sergio, Mario  
Smitherman, George  
Snobelen, John  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth



**Mr McGuinty:** I can understand why the minister doesn't want to deal with the question directly; it's very embarrassing.

Here's a copy of the newspaper article which recounted the promise. The headline reads, "Children's Hospital Won't Lose Cardiac Transplant Services." Your predecessor is specifically quoted as saying there was a review and that there has been a recognition of the fact that these programs have been delivered with a long history of innovation and excellence in London.

That was what you said prior to the election. I've got to hand it to you, Minister: you and your government were very effective at fooling the people. You even had the pediatric cardiac surgeon, Dr Lee, fooled. Dr Lee was so relieved that you were keeping those programs in his community and at his hospital that he appeared in one of your campaign ads.

This is what he says now, and I quote: "I feel that I was lied to and used, and I can tell you that those sentiments are shared by other parents and doctors in the community."

I ask you again, why did you promise to keep those programs open? Wasn't it the fact that you were really playing politics with people's lives?

**Hon Mr Clement:** I can assure this House that that is absolutely not the case. Our main concern has been, is and will be that patients receive the best possible clinical care, the best quality of care imaginable in the province of Ontario. That is what we are focused in on, and in this case the recommendations came back that that simply was not possible in the programs to which he refers. The president and CEO of the hospital has said the hospital cannot be all things to all people and sustain itself as a centre of excellence.

That point of view has been backed up by an editorial in the London Free Press on October 4 that said it is a plan to boost core medical services locally and pass off others that lacked a critical mass of patients and doctors. That is in fact what it is. The best clinical outcomes mean that sometimes others who have more experience and more clinical practice do those procedures, and we support that.

**Mr McGuinty:** Your government made a specific promise. When London area seats were on the line, when parents said, "We're very concerned about cuts to our programs," your government said, "Don't worry; it's going to go away. We're going to make sure that we don't make any cuts to those programs." Your predecessor specifically said there had been a review and there has been a recognition of the fact that these programs have been delivered with a long history of innovation and excellence in London. People believed you then. They counted on you keeping your promises made at that time, but, as they say, that was then and this is now. The question I put to you on behalf of the parents and children of southwestern Ontario is, why have you betrayed them?

**Hon Mr Clement:** Nothing could be further from the truth. In fact, we are absolutely focused in on making

sure patients receive the best clinical care, the best quality care.

If the honourable member is skeptical about our commitment to that, I would refer the honourable member to what the deputy chief coroner for Ontario said about London pediatric programs. He said that his recommendations that those programs be wound down are consistent with what extensive research around the world has shown: that the success of pediatric cardiac surgeries increased significantly when the programs were consolidated, ensuring high case volumes.

The deputy chief coroner is saying that practice makes perfect. When you want quality of care, it occurs where you have the majority of those clinical practices taking place. In this case, it is not at the London hospital. We support the best possible clinical care for our kids and our patients.

## BORDER SECURITY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Economic Development and Trade. Every year, Ontario exports \$200 billion worth of goods and, as you know, 93% of those exports go south of the border to the US. Some 1.5 million Ontario jobs depend directly on trade with the US.

Minister, I think you also understand that despite the importance of trade to our economy, the Canadian-American border is stuck in the Dark Ages. It seems ridiculous to me that in this, the information age, in this, the era of information technology, by and large what happens at the border, as you well know, is that somebody shows up in a rig. They are then seen for the very first time, and people ask them questions like, "Who are you? What are you carrying in terms of cargo? Where are you coming from, and where are you going to?"

I think what we need is a new system of pre-inspections. We need greater use of transponders. We need to find some way to pre-register these people. We should be looking at ID cards and other options that would help us better stream and facilitate the free flow of traffic across the border.

My question is, what are you doing to help relieve congestion at our border?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** I think the leader of the official opposition is aware that this is a concern for all of us, not just in Ontario but nationally, with respect to congestion and the importance of cross-border traffic, not just for the Ontario and Canadian economies but for many US states as well.

That's one of the reasons we held a New York-Ontario summit in June, where we had participants from both sides of the border. Certainly cross-border traffic was an important part of that two-day conference. We will be having recommendations coming out of that report, I would hope, by mid-November.

**Mr McGuinty:** Minister, I was in Windsor on Thursday, and I held a fact-finding meeting with some



local business leaders. I met with the past president of the chamber of commerce and with some representatives of the NAFTA superhighway effort, I met with some of the staff from the consul general's office in Detroit and I met with representatives of the bridge and tunnel organizations.

What they impressed upon me was the need for urgent action by all levels of government. While the federal government must assume some responsibility in this regard, I would ask you to consider taking some responsibility to reverse the downloading of the Huron Church Road. When you consider the traffic that is moving through Windsor and along that road, I would argue that this road is of economic significance to the entire province.

What I am asking you to do now is consider reversing the downloading of the Huron Church Road and then proceed with infrastructure improvements. You have committed \$1 billion; you have only allocated \$14 million. Understanding that this road is of provincial economic interest, will you agree to upload that road and then begin infrastructure improvements?

**Hon Mr Runciman:** We are indeed concerned about infrastructure. In terms of improving traffic flow, that's a critical component; there's no question about it. But there are a number of other factors as well. We've talked about pre-clearance zones. We've had discussions with our friends in both Michigan and New York states with respect to seeing if we can improve that situation.

The difficulty we've bumped into on a number of occasions has been the intransigence of the federal Liberal government to move in a number of these areas to expedite traffic flow.

I stand to be corrected, but with respect to Windsor and looking at improvement of traffic flow, I do not believe Windsor has made an application in terms of prioritization of traffic flow across the international border. In the programs they have applied for to the province, that has not been a priority in the city of Windsor.

1410

**Mr McGuinty:** I can tell you on the basis of my visit and the information that I've received, it is at the top of the list in terms of ensuring that we have improvements to the Huron Church Road at the earliest possible opportunity. You are quite right, Minister. I will agree with you on this: the federal government must assume some responsibility to facilitate the free flow of goods, services and people along the border. But I think it's important that we here in Ontario at the provincial government level also assume our responsibilities.

The Huron Church Road is not just a road in Windsor. It is the busiest border crossing in North America. It moves a tremendous amount of truck traffic through each and every day. We need a trade corridor. It needs to be free-flowing. Somewhere between Montreal and Florida there are some 14 traffic lights. Do you know where all those traffic lights are? I think you know the answer. They're on the Huron Church Road.

I think what we need to do is to begin to invest in improving that road so it better expedites the free flow of traffic. As you know, in a just-in-time world, congestion is a job-killer. This is a matter of urgency; it's a matter of interest to the entire province. I ask you, Minister, will you commit to uploading the Huron Church Road, making it a provincial responsibility, and then begin to improve it?

**Hon Mr Runciman:** I've said this before and I'll say it again: the irony of this question is that it's coming from the Liberal Party of Ontario, which very vigorously opposed free trade between Canada and the United States. Now we've seen what a positive impact it's had on the economy of this province, let alone this country.

Our government is very much committed to ensuring that these borders not only improve but in fact that we do not jeopardize the free flow of traffic across these borders. We need the co-operation of the federal Liberal government. We are, as a government, sponsoring a round table on border crossings on November 2, where we're bringing 50 to 60 of the top CEOs in this province to talk about solutions in terms of improving and looking 15, 20 years down the road.

I'm advised that MTO, the Michigan Department of Transportation, Transport Canada and the US Federal Highway Administration are working together to develop a single integrated planning process to provide additional capacity at the Windsor-Detroit gateway. All alternatives, including the Huron Church Road, will be considered as part of that planning process.

## TAXATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance and it concerns how many jobs will have to be lost in Ontario before the Minister of Finance shows some leadership and announces a sales tax holiday for the province.

Every day more working people lose their jobs and every lost job is more evidence that your tired agenda of cutting corporate taxes is a failure. Stelco has just announced 435 layoffs in Hamilton and Welland. The restaurant industry has warned you of thousands of layoffs to come in that industry. I was just at the Jacuzzi Canada factory, where 116 workers are facing the loss of their jobs from a shutdown of that plant.

Leadership is needed now, before Ontario loses more jobs. Will you give the economy a boost, will you give consumer confidence a boost and announce a sales tax holiday now?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I appreciate the leader of the third party's suggestions with respect to tax cuts. I'm pleased, of course, as finance minister, that he now supports tax cuts in the province of Ontario, having voted against our proposals with respect to tax cuts for years now, since 1995, in this Legislature. So the conversion is welcomed.

Now we have to look at what tax cuts work most effectively in our economy. Our view on this side of the



House, based on the experience we've had, led by Premier Harris since 1995, is that reductions in personal income tax in particular have the most beneficial effect for sustainable, long-term job creation in the province. It is for that reason that the Premier announced that the reductions in personal income tax that were scheduled to come into effect on January 1, 2002, have been accelerated to October 1, 2001.

**Mr Hampton:** The question was about extending a sales tax holiday for the 11 million consumers across the province.

Since you've become finance minister, Ontario has lost 26,000 jobs, and your only response is to come out with your tired old one-trick story of another corporate tax cut.

Minister, it's consumer confidence that's in question. Consumer confidence in the United States is already suffering. Consumer confidence here is also on the wane. When are you going to do the right thing to address consumer confidence? Forget about giving another tax cut to your corporate buddies. Declare a sales tax holiday for the hard-pressed consumers of the province.

**Hon Mr Flaherty:** I appreciate the member opposite's views, and if he has other suggestions, I welcome them as well. Certainly all policy options are considered.

We are in the midst of a building boom in Ontario that's funded, to a significant extent, by in excess of \$8 billion in SuperBuild spending. This is the third fiscal year of that spending. All the spending that people see around their communities in Ontario—hospitals being built, additions going on hospitals, brand new schools throughout the province, expansion of highways—all of that is that more than \$8 billion of spending which, due to preplanning, is now having its stimulant effect in the economy of Ontario.

In context, yes, we are in an economic slowdown; yes, we have the effects of September 11. But a total of 836,000 net new jobs have been created in Ontario since the throne speech in 1995. That's the record of the Mike Harris government in Ontario.

**Mr Hampton:** Minister, we're talking about now. We're talking about the thousands of people who have lost their jobs in the last three or four months and the hundreds who face announcements this week. The only response we've heard from you was a phony, bogus announcement last week that you were going to reduce the PST for performers at benefit concerts.

You know as well as I that in fact that's already covered in the regulations. Your announcement was completely phony. That's always been the case where performers perform for free.

Minister, instead of issuing phony announcements, instead of talking about your corporate tax cuts, which only go to those corporations that have a profit, how about doing something to benefit the consumers across this province? Announce a sales tax holiday now, and announce it on the things that people need: winter clothing, school supplies, things that people need, and if they

purchase them, they'll help restore consumer confidence. How about it, Minister?

**Hon Mr Flaherty:** Speaker, we are in favour of benefit concerts like the ones performed recently in Ontario. They show dedication by those performers who do that. The memorandum that was issued from my ministry dealt with confirmation that there is no PST charged on those matters, which is appropriate.

I welcome the suggestions from the member opposite. If he has more, I look forward to hearing them.

Today we announced that the fall economic statement will be made in the Legislature on November 6, following the tradition established in Ontario by my predecessor Ernie Eves. I look forward at that time to dealing with economic matters in this place. If the member opposite has suggestions, or any members opposite have suggestions that they think ought to be considered in the fall economic statement, I welcome them.

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#### AUDIOLOGY SERVICES

**Mr Howard Hampton (Kenora-Rainy River):** I have a question to the Minister of Health. Thousands of people across Ontario are asking you to reverse your decision to delist the work of audiologists. You've received thousands of names on petitions, and recently you will have received correspondence from the chiefs of ear, nose and throat specialty for the largest teaching hospitals in Ontario, telling you to reverse your decision, to not delist from OHIP the services of audiologists, because if you continue to do that, you are going to chase thousands of audiologists from their practices in Ontario.

What is your response to all of those citizens who've sent you petitions and letters, and what is your response to the chiefs of ear, nose and throat specialty from the largest teaching hospitals in Ontario?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I assume the honourable member is not reading verbatim what the letter would say, because in fact there aren't thousands of audiologists affected. There are 300 audiologists affected, and we did not delist services. Those services are still listed via OHIP. They are available by either ear, nose and throat specialists or audiologists working with ENT doctors. They are available through hospitals; they are available through clinics; they are available through doctors' offices. I want to assure the people of Ontario that those particular functions and the clinical work are still available via OHIP to the public at large. I'm not sure how the honourable member is reading the letter, but I would make those corrections to the record.

**Mr Hampton:** Minister, you will know that the chiefs of ear, nose and throat specialty at Sunnybrook and Women's College hospital, the chief at St Mike's, the chief at Sick Kids, the chief at Toronto General Hospital and the chief at Mount Sinai have all said to you that if you continue with this ill-advised policy, audiologists will leave this province.



They have also said to you that this will put especially children and families who have modest and low incomes at risk.

Your government was very successful at chasing thousands of nurses out of the province. Is it now your intention to do the same thing with audiologists? Please listen to these specialists from the largest teaching hospitals in the province who are trying to tell you that you're going to do the same thing to audiologists that you did to nurses: that you will chase them out of the hospital, and it will be poorest people in Ontario, and especially children, who will suffer the most from your ill-advised policy.

**Hon Mr Clement:** The honourable member is making reference to medical specialists and their points of view. I wish to share with the House that the recommendations involving this particular issue were made by the diagnostic hearing test subcommittee of what is called the Physician Services Committee. By its very title it obviously has practising physicians who advise this government, as well as the Ontario Medical Association, on how to ensure that we abide by the terms and conditions of the government and OMA contractual arrangement with respect to fees. This does come from physicians; it does come from experts. It in no way diminishes the ability to acquire these kinds of hearing tests and other procedures through OHIP and it certainly is our intention to ensure that this is available through OHIP in the future as well.

#### HEALTH CARE

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. It seems that you and your federal leader, Stockwell Day, think alike when it comes to the future of health care. Maybe it's appropriate that your new communications assistant comes straight from Mr Day's office, because your speeches are starting to sound pretty similar.

Mr Day was talking this weekend about the value of bringing competition into health care and opening up the system to more private clinics. He was also talking about the role of user fees: charging people for the care they receive when they're sick.

Minister, we know that you like private clinics. You set up the private cancer clinic. You talk about setting up private clinics for MRIs. We know that you would rather fund private clinics than properly fund hospitals. So my question today is, how far are you going to go down Mr Day's road? You clearly support the establishment of private clinics. Do you also agree with Mr Day that patients are costing the health care system too much and we should start charging people for care when they're sick?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Let me just state for the record that we've always had a mixture of public-private delivery of publicly funded physicians' services and other health services in Ontario. The honourable member's doctor would

be a private sector provider of health care. Diagnostics are sometimes provided by the private sector, as well as nursing home services. It's not unusual to have a mix of that, and we continue to support an appropriate mix.

The honourable member brings into focus some of the federal issues involving this issue, and I agree with Prime Minister Jean Chrétien when he says that the current system is unsustainable and we need to have new and innovative ways to look at our health care system. He has gone further than that and talked about user fees. That certainly would be contrary to the Canada Health Act. His Minister of Health, the Honourable Allan Rock, has said that the current system is unsustainable, and certainly it is, given the level of federal funding. He has asked for new and creative ideas, and that is what we're looking for. We certainly haven't heard it from the other side of the House.

**Mrs McLeod:** I was hoping that we would get from you today a categorical denial that you would consider expanding user fees for health care in the province of Ontario, despite the fact that you're after the federal government to give you more flexibility to keep the doors open, despite the fact that we know that one of the doors that you want to keep open is the idea of a medical savings account.

Minister, I say to you today what everybody should understand: a medical savings account is a private health care voucher, nothing less. Medical savings accounts are a camouflage for charging huge user fees to the people who can least afford them. The sicker you are, the more you pay out of your own pocket for health care, and sick seniors get hit the hardest.

Minister, I ask you today to give us an absolute assurance, to give an absolute assurance to the people of this province, that you will never consider bringing this voucher for private health care into the province of Ontario.

**Hon Mr Clement:** The honourable member is referring to some things that are not permissible under the current Canada Health Act. She knows that her Prime Minister, my Prime Minister, Jean Chrétien, has launched a royal commission which has as its head the former NDP Premier of Saskatchewan, Roy Romanow, who incidentally has said that the current system is unsustainable and needs some creative thinking. They are charged with the responsibility of looking at all possible ways to reform our health care system to ensure that it provides excellent, quality care, not only for us but for our children and our grandchildren. I support that process. If the honourable member has a problem with the Prime Minister of Canada or her health minister in Ottawa, that's her problem. It certainly isn't my problem.

**Mr Jerry J. Ouellette (Oshawa):** I'd like to ask all to join me in welcoming the students and the hard-working faculty of Monsignor John Pereyma, who have joined—

**The Speaker (Hon Gary Carr):** Order. Stop the clock. I appreciate the members and I don't get mad when it's done outside of question period. I would appreciate it if we don't do it during question period. It

does take away time if somebody is going to miss some questions for it. We're sorry to see them leave, but please don't do it during question period. It is also very confusing. I see somebody stand up; I don't even know who's supposed to be asking the question.

### WATER QUALITY

**Mr Ted Arnott (Waterloo-Wellington):** My question is for the Minister of Agriculture, Food and Rural Affairs. My riding of Waterloo-Wellington includes a very large rural component but also a significant urban component in the city of Kitchener. My residents are concerned about a safe and secure supply of drinking water.

Can the minister inform the House what his ministry is doing to help protect our water supplies?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I thank the member from Waterloo-Wellington for the question. Certainly a clean, secure supply of water is extremely important to all of us. That is one of the key objectives in the Ontario healthy futures program. That particular program also encompasses our municipal and rural partners, that we work toward improving service in groundwater in a number of rural areas across the province.

As we all know, this member's riding is one of the richest agricultural communities in Ontario and it's one of the fastest-growing urban centres. That's why our government has recently announced \$740,000 in a \$1-million initiative which is a joint partnership with municipalities, the conservation authority, the county, and local residents in the city of Guelph, who are pitching in to protect their water supply.

Another example in that particular area is a commitment to rural water quality that involves the county of Huron, where through the healthy futures program we've provided half the funding in a \$5-million project aimed at helping landowners in implementing best—

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Arnott:** I want to thank the minister for his answer and for his work in this area.

I know that he is also aware that the issues of water quality and supply in Waterloo-Wellington also encompass the need to repair the gates in the Conestoga dam. The Conestoga dam is responsible for low-flow augmentation to enhance water quality in the Grand River. This means that when water levels are low at certain times of the year, the gates of the dam are opened wider to allow more water into the river. This is vitally important because, at times, the Conestoga dam is responsible for up to 60% of the drinking water in the city of Kitchener.

As I've stated a number of times in this House, three out of four of the gates in the Conestoga dam are broken and need to be fixed. The Grand River Conservation Authority has approached the government, requesting financial assistance to help defray the \$1.2- to \$1.5-million cost of these necessary repairs. I have supported the position taken by the GRCA, that being that the provincial

government should be a major funding partner in the costs of these repairs. If the minister agrees with me that the government should be a major partner, can he tell this House how and when this will happen?

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**Hon Brian Coburn:** Certainly, as the member knows, we have a number of programs available to address these various situations that we're confronted with. From my understanding, our staff are meeting with members of the Grand River Conservation Authority in the hope of partnering with them to resolve this particular issue and repair the dam. At present, we're considering all of the programs that are available to us and all of the avenues.

I can assure members of this House that our government is committed to helping Ontario's rural communities. The Ontario small town and rural development initiative, better known as OSTAR, is an example of this government's commitment to ensuring that rural Ontario has the resources to meet the infrastructure needs of today and tomorrow. We are examining the options available to us under that particular program and others.

### GOVERNMENT SPENDING

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is for the Minister of Finance. Five biohazard scientists have been fired; London, Ontario, has lost a specialized pediatric section at the London Health Sciences Centre; and in Sarnia-Lambton, the St Clair Child and Youth Services was denied \$150,000 by your government for an intervention program for families and children—all of these cuts in the name of keeping costs down:

Here is the contradiction that I would like you to explain. Your figures show that in 1995, your Cabinet Offices were \$7,858,000. At year end 2000, they were \$15,816,000. I checked the year 2001, and they have yet increased to \$18,250,000. I'd like you to explain how come you approve of such a double standard.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I gather the figures that the member opposite was using relate to Cabinet Office. I wasn't sure—

**Ms Di Cocco:** Cabinet Office.

**Hon Mr Flaherty:** Cabinet Office is part of the public service, as you know. It's the deputy minister's office to the Premier, and substantial responsibilities are carried on by that office in service to the people of Ontario. If the concern is to have more detail with respect to the line-by-line budgeting of Cabinet Office, that can be obtained.

**Ms Di Cocco:** Minister, this is a matter of finances. It's a matter of keeping operational costs down, which you have done across the board in this province except in the Cabinet Office. You've increased your cabinet operational costs and they've skyrocketed by 116% since 1995.

You explain this increase to those scientists who were just fired, to the pediatric specialists in London, Ontario, and to the families affected in Sarnia-Lambton by the



closure of the Family Solutions program. Could you please explain that?

**Hon Mr Flaherty:** As the member will know, in the Common Sense Revolution and under the leadership of Premier Harris, the size of the Ontario public service has been reduced dramatically since 1995. Not only that, but since 1995 the Ontario public service has been called upon to perform quite a significant restructuring. All of that is supervised in the Ontario public service through Cabinet Office, which I'm sure accounts for a great deal of the growth in the work of that office over the course of the past six years.

The point—and I'm sure the honourable member is concerned about saving money in government—is that there has been substantial downsizing of the Ontario public service, but the level of performance—the standards as performed by the Ontario public service—has gone up. You should be proud of the public service in Ontario.

#### ALTERNATIVE ENERGY SOURCES

**Mr John O'Toole (Durham):** My question is to the Minister of Energy, Science and Technology. You well know that my Durham riding includes the Oak Ridges moraine, plus extensive forests and farmlands. We also have important wetlands and lakes and streams—just a great place to live and work and raise a family. You can well appreciate the commitment Durham riding residents have toward the stewardship of our environment. I can hardly stop and think for a moment of John Thomson, who is chair of the Orono Crown Lands Trust, a newly formed committee; Reverend Frank Lockhart from Valleys 2000; and Protect the Ridges group, as well as the Scugog Shores Millennium Project. All of these people demand the highest regard to sustainable environmental attitude.

Minister, can you advise us today what's occurring in Ontario to promote leaner, more sustainable energy forms such as wind forms?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** A sustainable and clean environment is a very important part of our electricity restructuring plans in the province of Ontario.

The member will know that we plan to open a competitive market by May of next year in the electricity sector, and that's opening up for the first time opportunities for green energy suppliers.

In August, Ontario Power Generation erected, for example, North America's largest new wind turbine at the Pickering nuclear power station. At full power, this turbine could supply enough electricity for some 1,800 homes. The Pickering wind turbine project is part of OPG's \$50-million commitment to expand its green power holdings by May 2005.

In the past, these wind power projects or sustainable energy electricity projects were not permitted by previous governments. The opening up of the electricity market to

competition allows us to move forward on these projects for the first time.

**Mr O'Toole:** Thank you very much for that detailed response, Minister. I know you know that Durham is the home to two nuclear facilities as well as the future concept of sustainable energy, the ITER project. I know you've talked about it. You visited my riding. It's good to see that alternative forms of energy sources are being considered seriously, and I thank you for your strong leadership in that category.

Will there be any other wind project or energy developments in Ontario besides the OPG-British Energy project in the future?

**Hon Mr Wilson:** Well, the OPG-British Energy project is the second wind power project that is designed to be installed near Kincardine, Ontario. There will be a series of new windmills there, and it will supply power for quite a few hundred homes also.

The Toronto Renewable Energy Co-operative: other governments have talked about this but it never really got off the ground. It's a community-based wind energy developer. It's partnering with Toronto Hydro Energy Services to construct two to three large wind turbines on Toronto's waterfront in the next year.

There are several other private sector projects expected to be built around the province. We know, having done a study across the province recently, sort of an overview of the potential for wind energy in particular, there are some very good sites. You will find, if you look at those sites, that there are private sector bidders right now trying to acquire the land in many sites across the province.

Again, none of this was possible without the restructuring of the electricity sector, and I'm very proud that something will be—

**The Speaker (Hon Gary Carr):** The minister's time is up. New question.

#### LABOUR DISPUTE

**Mr Gilles Bisson (Timmins-James Bay):** My question is to the Minister of Labour. Under your labour laws in the province of Ontario, does an employer's dissatisfaction with a union bargaining proposal constitute sufficient grounds to dismiss an entire workforce?

**Hon Chris Stockwell (Minister of Labour):** Having spent some time in this place, I think I'm prepared to wait for the supplementary. So let me just hedge that with: I don't know. What are you talking about?

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Bisson:** Mr Speaker, supplementary to the minister, he knows very well what I'm talking about because I've spoken to him on this issue a number of times last week.

You'll know that there are some 20 workers in Timmins at the St Mary's Manor who now have been served termination notices by their employer because the employer refuses to go to the bargaining table. For three years, that employer has stalled bargaining, has not



shown up at the table, and now, because the employees have been successful in forcing that employer to the table November 7, the employer showed up with termination notices, saying, "You're all fired as of November 4. See you later."

My question to you is fairly simple. You're sending a message, first of all, to the seniors. They're scared about what's going to happen to their service. But what's even more troubling is, you're saying to employers across Ontario, "If you don't like what the union puts on the bargaining table, just fire them."

So my question to you is simply this: Minister, the workers have filed a complaint with the labour board. Will you ask the board to hear their case before these men and women who take care of our seniors get fired by their employer on November 4?

**Hon Mr Stockwell:** I think it's fair to suggest that any time a Minister of Labour gets involved in an issue, you want to make sure it's not before the Ontario Labour Relations Board. The fact of the matter is, if there was something before the Ontario Labour Relations Board and you found out subsequently that I'd got involved, you'd be standing in your place suggesting, "We should fire this guy because he got involved in a quasi-judicial process and tried to influence a decision of the Ontario Labour Relations Board," and you'd be right.

That's why Ministers of Labour don't get involved in situations that are before the Ontario Labour Relations Board. So my answer would be as you expect: if there's a dispute between a union and management and that dispute can't be settled and they believe they're bargaining in bad faith, the place to go is the Ontario Labour Relations Board. When you were in office, when the Liberals were in office, when we're in office, that's where you settle disputes. I can't get involved. It's a quasi-judicial process. I shouldn't get involved. If I were to get involved, you'd be off the map complaining about the fact that I was involved. So I think the Ontario Labour Relations Board, stocked with a bunch of good, hard-working, intelligent people, is capable of sorting this one out, and I suggest you wait to hear their decision.

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## TAX CREDIT

**Mr Dwight Duncan (Windsor-St Clair):** I have a question to the Minister of Finance. Earlier this year the leader of our party outlined an education policy that would improve the teacher-classroom ratio, would take a number of steps to improve education in this province at the elementary, the secondary and the post-secondary levels—a leader with a clear idea on the education file. You will understand how members on this side of the House were just astounded on Friday when we heard you say, referencing the education tax credit, "It was brought forward by others this year, not by me." You appeared to be disowning what was at the very heart of your own budget. Minister, who did bring this idea forward, then,

and why won't you defend it more strongly publicly now that the debate is over?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The education tax credit issue was raised during the pre-budget consultations by various groups of parents, educators and students, who felt that the government of the day, our government, ought to give consideration to an issue which quite frankly has been raised for many years in the province of Ontario. The situation in Canada on the issue is that in excess of 50% of students in Canada had access to this type of assistance for private education—all of the provinces west of Ontario, and Quebec. With the Ontario law having been changed now in the June budget bill, we're at a point where the vast majority of people in Canada have access to some assistance, after paying their taxes, for education in private schools. That's the situation in Canada today.

**Mr Duncan:** My question related more to the situation in cabinet, because your Minister of Education, your colleague from Durham, in a letter dated January 13, 2000, in responding to the federal government, said:

"The government of Ontario is not prepared to adopt the alternative suggested by the United Nations for complying with the decision, namely (1) to provide direct funding to private religious schools, (2) to eliminate funding separate schools or (3) to provide religious instruction. We believe that our commitment and resources must continue to focus on preserving and improving the quality of our publicly funded system."

What did the Premier say in 2000? "As our provincial Minister of Education has made clear, our government is committed to preserving and improving public education, and we don't support the extension of tax credits to private schools."

Since you're denying ownership of it, since the Minister of Education denied it less than two years ago, since your own Premier denied it less than two years ago, who in cabinet is putting this forward, and why does it appear that all of a sudden you're backing off from your very own budget centrepiece of only four months ago?

**Hon Mr Flaherty:** I can assure the member opposite that no one is backing off anything. When I was asked the question the other day, "Who was this brought forward by?" I said it was brought forward by others. It was, in the pre-budget consultations. If the member doesn't understand that, then he ought to have a look at what we do in pre-budget consultations. Many suggestions are brought forward from all sectors of our economy. It became a matter of government policy in the budget and in the budget bill. That bill was passed by this House toward the end of June.

But I emphasize to the member that he is in a minority position, that the majority of students in Canada who attend private schools have access to some degree of government assistance. The province of Ontario has now joined the majority in this country. You would deny to our students who attend private schools any assistance from government. That's your choice; you'll have to live with that.



## MINING INDUSTRY

**Mr Norm Miller (Parry Sound-Muskoka):** My question today is for the Minister of Northern Development and Mines. Mining is a very important industry in Ontario and in particular across northern Ontario. Minister, can you tell this House about some initiatives this government has taken since 1995, and can you tell us in particular about the recent initiatives you've been up to?

**Hon Dan Newman (Minister of Northern Development and Mines):** I thank the member for Parry Sound-Muskoka for his question. When it comes to the mining sector, our government has worked hard to make Ontario an attractive place to mine. That's why Ontario was recently ranked the top mining jurisdiction in Canada and the third in the world by the Fraser Institute.

Some of the actions our government has taken to support the minerals industry include freezing taxes and fees on mining, reducing the mining tax and implementing a 10-year tax holiday for new remote mines. We've actively promoted Ontario's mineral industry internationally through Market Ontario. We've also made significant investments to stimulate this industry. For example, we've allocated \$29 million for airborne and regional surveys for Operation Treasure Hunt, to stimulate mineral exploration. Right now, we're implementing a \$27-million provincial program to restore former mining lands to productive use as crown land.

We recognize there is still more to do, and we will not rest on our accomplishments. We will not rest until we are ranked not only number one in Canada but also number one in the world.

**Mr Miller:** Minister, I know the people of northern Ontario will be pleased to hear about some of these recent actions of yours. I had the opportunity to be at the opening of the North American palladium mine up in Thunder Bay. That's certainly showing that your work is benefiting the people of Ontario.

I'm especially interested in what you've been doing recently and what recent actions you've taken to support the minerals industry in Ontario.

**Hon Mr Newman:** On October 18, I was pleased to announce that the Mike Harris government is supporting the efforts of the mining equipment industry on their trade mission to Mexico.

Expo Minería 2001 was held in Mexico from October 17 to 20. Ontario Exports Inc and my ministry took part in supporting the eight northern companies by assisting in securing local agents and distributors with Mexican buyers. This trade effort will contribute to future economic growth and job creation in the province by helping Ontario's mining machinery manufacturers seize the opportunity and increase their export sales.

It is opportunities like Expo Minería 2001 that allow Ontario's mineral sector to demonstrate the importance of mining, not only to the northern Ontario communities but also to the global community, as we aggressively market our products to the world.

## AIR QUALITY

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Energy. We have a major problem in this province with air pollution, with coal-fired plants belching out all kinds of contaminants that are causing great problems for the people of the whole province in terms of air quality. There is an opportunity for you, as the chief shareholder of Ontario Power Generation, to make a positive move, and that would be to ensure that Ontario Power Generation proceeds immediately with the Sir Adam Beck 3 generating station, which would produce air-pollution-free electricity in this province and would be a major boost to the economy of Ontario through the investment in that particular project. As well, you would gain energy for the grid in the province of Ontario.

Minister, will you now agree, as the chief shareholder in Ontario Power Generation, to proceed immediately with that project, which is a winner for both the economy and the environment?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** The honourable member makes some good points. Certainly we've looked at the business case for Beck 3 on many, many occasion. I myself have toured down there on several occasions. If the business case can be found that it can be justified, that we find the environmental offsets to be a part of that business case and help justify the case, then we'll move forward with Beck 3; it's certainly not off the map. But his government and the NDP left us with a \$38-billion debt, and guess what? No bank will lend us a penny to develop Beck 3. You should be ashamed of the record you guys left on electricity in this province.

**Mr Bradley:** I can tell the minister that they're borrowing a lot of money to expand their retail projects right now in Ontario, they're buying up all the local utilities, but you're telling me they don't have money for Sir Adam Beck 3.

It's not as though this project has to be dreamed up. The plans are in place to proceed with it. There's a will in the construction industry in Ontario to move forward, with an investment on your part of some \$500 million. It will generate a lot of jobs and generate tax revenue for you. It will improve the environment immensely. You have to take into account in the business case what the Ontario Medical Association said, that it's a \$10-billion-a-year cost to the province of Ontario in terms of air pollution, particularly from the largest polluter in the province which, as you know, Mr Speaker, is the Nanticoke generating station, which produces all kinds of contaminants.

Minister, will you today, as the chief shareholder of Ontario Power Generation, order the immediate development and construction of the Sir Adam Beck generating station? I will be the first to praise you, I assure you, for benefiting both the economy and the environment of this province.

1450

**Hon Mr Wilson:** I wish things were as the honourable member thinks they are, but they just don't get it across the way.

The fact of the matter is, we have no choice. We don't want to become a California or an Alberta and not have enough supply in this province in the next few years. We have to deal with the \$38-billion debt. We can't just build government projects willy-nilly all over the place with no business case like they did in the past. The fact of the matter is, nobody will lend us the money to do Beck 3. You left us bankrupt. You did nothing during your time in office to deal with the debt of the old Ontario Hydro monopoly.

We're more responsible. We're moving forward, paying down that debt and building projects that make sense, not only for the environment—and that's why we spent \$2 billion on the environment during my time as Minister of Energy—but also moving forward in a sensible manner so that the people of Ontario, our children and our grandchildren aren't saddled with the irresponsible debts and the approach you took to Ontario Hydro. No more bad management, no more mismanagement. We will do projects that make sense, and we'll do projects that are paid for.

#### FORT HENRY

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Tourism, Culture and Recreation. For many years, my family and I and many of my constituents have enjoyed trips to Old Fort Henry in Kingston. As a matter of fact, this fort is of particular interest to me since I grew up just west of Kingston and have taken significant interest in that particular fort. Lately, however, we've noticed the fort is undergoing some renovation work and that some areas are closed off by scaffolding.

This weekend, I was concerned to hear that the Kingston-Whig Standard reported that as the owner of the fort the federal government has yet to commit any new funding to help preserve this important national treasure. What is our government doing to support the repair of Old Fort Henry, which is owned by the federal government?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I thank the member for the question. Obviously it's a very important issue in the Kingston area and along the St Lawrence Seaway. The member makes a great point: the federal government is the owner, the landlord of Fort Henry; we're simply the tenant. For a dollar a year we rent the fort from the federal government, and yet, despite that dollar, we cross-subsidize the fort by about \$1.2 million a year.

The fort is in a condition of disrepair in many areas. It's an old fort, and it needs a significant injection to help maintain jobs in that area—the economic spinoffs from tourism in the Kingston area—and to help support the award-winning provincial programming at the fort. I

have come to the table, through the Mike Harris government, with a \$5-million contribution for that fort, to help restore its grandeur. The member asked what the federal government is doing. Sadly, nothing but fiddling while the fort crumbles.

**Mr Galt:** Let me clarify this. The Ontario government is paying to repair federal property. The federal government has a surplus in excess of \$10 billion. The federal surplus is there due to the province of Ontario's economic policies, and yet they expect us to repair it. It seems as though the federal Liberals in Ottawa are confusing things once again. I'm pleased to see that our government has once again demonstrated to the federal government what leadership is indeed all about. In the article, Minister Copps states that she is waiting for the province to make a SuperBuild commitment to the fort. Once this is done, she says she will release matching federal funds to repair federal property.

Minister, could you clarify the SuperBuild process as it relates to funding repairs such as to Old Fort Henry?

**Hon Mr Hudak:** The member again makes a very good point. In fact, there is no SuperBuild application from Kingston; they have another project they put forward. So either Minister Copps is trying to confuse the issue or is simply confused about the issue.

The facts are clear. The province has come forward with \$5 million to support what is federal property, because we believe in the jobs, we believe in the tourism component and we believe in the economic spinoffs for eastern Ontario. Certainly local member Bob Runciman has been a strong supporter of the tourism benefits from the fort. I don't understand why the federal government continues to fiddle while the fort crumbles. They have not come to the table. It's extremely unfortunate.

Even the federal MP for the area, in fact, the very Speaker of the House, the Honourable Peter Milliken, has said that the federal government should be involved in getting the fort fixed and is urging them to do that. Unfortunately, there is no response to his actions.

I'll call on Minister Copps again today. Perhaps if the fort were in Shawinigan it would get some funding, but the federal government has completely abandoned its responsibilities to Fort Henry.

#### EDUCATION FUNDING

**Mr Michael Prue (Beaches-East York):** My question is to the Minister of Finance. It is about the 84 swimming pools located in Toronto schools that are earmarked to be shut down at the end of this year. There are 62,000 people who use those pools every year: men, women, children; adults who belong to swim teams.

The city of Toronto has indicated it will give up to \$3 million to the school board to help keep them open. However, the school board still requires an additional \$7 million in order to make sure that the people of Toronto have somewhere to swim next year.

When will you provide the additional \$7 million in funding to the Toronto District School Board, or when



will you change the funding formula which will allow those pools to stay open?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** To the Minister of Education.

**Hon Janet Ecker (Minister of Education, Government House Leader):** If I could beg the member's indulgence, I didn't hear all of the question. My apologies for that, but if he'd repeat it I'd be quite pleased to try to answer it.

**Mr Prue:** I'll ask the last part again. Madam Minister, when will you provide the additional funding of \$7 million to the Toronto District School Board to keep the pools open, or when will you change the funding formula, which will allow them to spend sufficient monies to keep those schools open so the people have somewhere to swim next year?

**Hon Mrs Ecker:** Thank you to the member for repeating the part of the question. As he knows, the province has never funded swimming pools in schools. That is not something that has been provided through education funding. Some boards have chosen to provide the service in various ways. Some have paid for it out of their own resources and some have made arrangements with the community so that the pool might well be located in a school, but the costs are defrayed with community support. Others use community services to provide this to their children. Some schools do not provide swimming at all.

It's not part of core curriculum and it's never been funded by the Ministry of Education. It is certainly something that I know the parents see very much as a benefit for their children. I know the Toronto board is trying to work out an arrangement with the municipality, as other boards have always provided this service; that's the way they've always provided it. I hope that the municipality and the board are able to work that out for the kids.

**Mr Prue:** Madam Minister, I want to remind you that in January of this year your ministry stated in a news release: "Sports are an important part of students' educational experience. The government is seeking to ensure that all students in the province have continued access to a full range of activities necessary for a balanced educational experience."

I also quote from another document. The advisory group concluded in April this year, "Our goal in this report is to serve students first. Students deserve opportunities to expand their minds and develop new skills by playing sports."

When will you live up to the statements in your own government reports and ensure that funding is provided for swimming programs in all of our schools?

**Hon Mrs Ecker:** With all due respect to the honourable member, we have never funded swimming pools. That has never been part of the core education funding. I think it would be highly inappropriate for us to now start funding swimming pools in one school board and not be prepared to offer that to all other school boards. Or what about all the children who don't want to do swimming, who do skating, for example, or field hockey or any of

the other ranges of sports and activities that are available to our kids in our schools across the province?

Of course, recreational activities are exceedingly important for our kids and many, many schools offer a range of activities for our children. I encourage the Toronto school board to continue to work with the municipality to find a solution, as other school boards have, to make sure that swimming is also part of the services that would be available to the kids.

1500

**Mrs Sandra Pupatello (Windsor West):** On a point of order, Mr Speaker: I'd like to ask the member for London-Fanshawe to withdraw some remarks and heckles that he made while the Leader of the Opposition, Dalton McGuinty, was advancing his question to the Minister of Health, specifically regarding Dr John Lee. The member for London-Fanshawe at that time suggested that my leader ought to listen to someone other than a doctor who makes more than \$500,000 a year.

**The Speaker (Hon Gary Carr):** Order. The member can at any time withdraw anything and I'm sure the member will if he's interested in doing it.

## PETITIONS

### PRIVATIZATION OF PUBLIC SERVICES

**Mr David Caplan (Don Valley East):** I have a petition that was originally given to the member from Don Valley West, who refused to bring it on behalf of his constituents, so it is here today. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the provincial government has seen fit to award a contract to Canadian Radiation Oncology Services Ltd, a private, for-profit company, to perform after-hours services at Sunnybrook Hospital,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To rescind and/or do whatever is necessary to bring these services under the jurisdiction of the public health system; and

"Furthermore, we believe that no profit should be made on the seriously ill, particularly since there is a public system already in place that can, with proper management, handle it effectively."

I concur with this petition wholeheartedly and I am honoured to add my signature to it.

### OHIP SERVICES

**Ms Marilyn Churley (Toronto-Danforth):** I have petitions here which read:

"It's time to listen: petition to the Ontario Legislature:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, transcutaneous nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I will affix my signature to this petition.

**Hon David Turnbull (Solicitor General):** On a point of order, Mr Speaker: The member for Don Valley East, I believe, has just made the allegation that I refused to present a petition. He and his mother before him have been members of this House for some length of time and would know perfectly well that a minister of the crown cannot present any petition. I would ask him to withdraw his remarks.

**The Speaker (Hon Gary Carr):** The minister is correct. Ministers are not allowed to do petitions. The member for Durham may, though.

**Mr John O'Toole (Durham):** I won't be part of this. I'm above that.

#### DOCTOR SHORTAGE

**Mr John O'Toole (Durham):** "Whereas the provincial Durham region, including Clarington, Scugog township and portions of north and east Oshawa"—it's my riding—"comprise one of the fastest-growing communities in Canada; and,

"Whereas the residents of Durham riding are experiencing difficulty locating family physicians who are willing to accept new patients; and

"Whereas the good health of Durham residents depends on a long-term relationship with a family physician who can provide ongoing care; and

"Whereas the lack of family physicians puts unnecessary demands and strains on walk-in clinics and emergency departments;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that the government of Ontario will:

"Do everything within its power to immediately assess the needs of Durham riding and the Durham region and work with the Ontario Medical Association, the College of Physicians and Surgeons of Ontario, local health care providers and elected officials to ensure that there are enough family physicians available to serve this community;

"Make every effort to recruit doctors to set up practice in underserved areas and provide suitable incentives that will encourage them to stay in these communities;"

"Continue its efforts to increase the number of physicians being trained in Ontario medical schools and also continue its programs to enable foreign-trained doctors to qualify in Ontario."

I'm pleased to support this petition and my constituents who brought it to my attention.

#### AUDIOLOGY SERVICES

**Mr Rick Bartolucci (Sudbury):** This petition is entitled "Listen: Our hearing is important," and it's presented to the Legislative Assembly of Ontario. It says:

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas like northern Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I agree with this petition. I affix my signature, and I ask Cherie to bring it to the table.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly. It reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and



"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, nerve stimulation therapy and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I agree with the petitioners and I've affixed my signature to this.

#### POST-SECONDARY EDUCATION

**Mr John Hastings (Etobicoke North):** I have a petition to the Legislative Assembly of Ontario dealing with Saving for Our Children's Future Act.

"Whereas post-secondary education is very important in the development of young adults, to the betterment of society and the economic future of our province; and

"Whereas the continuing challenge and cost of education facing families in Ontario in the 21st century is ever increasing; and

"Whereas the cost of post-secondary education in Ontario requires a combination of government and individual financial support; and

"Whereas the tax credit proposed in Bill 4, Saving for Our Children's Future, 2001, will effectively and beneficially encourage families to save for their children's education; and

"Whereas the large majority of children and families with a registered education savings plan do not apply for OSAP"—Ontario student awards program—"thereby freeing millions of dollars for other OSAP students;

"Therefore, we, the undersigned, hereby respectfully petition the Legislative Assembly of Ontario to act quickly to pass Bill 4, Saving for Our Children's Future, 2001, and thereby extend the opportunity of post-secondary education to thousands of children."

I affix my signature to this petition.

1510

#### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** Thousands of names are coming in to constituency offices, concerned over the health care issue in southwestern Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children of southwestern Ontario, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I will add my name to those of the 220 people who have signed this.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly. It reads as follows:

"Whereas the decision has been made by the Ministry of Health to delist audiology services from OHIP;

"We, the undersigned, petition the Parliament of Ontario as follows:

"We are petitioning the recent decision of the Ministry of Health to delist audiology services covered by OHIP. We who are deaf, deafened, hard of hearing and concerned citizens express strong objection to the recent changes to the funding of OHIP for hearing aid evaluations. The delisting will lead to unmanaged hearing loss, as many people are on limited incomes and cannot afford to pay for these services. The Ministry of Health should not be able to unilaterally decide to delist services without the input from consumers about what we consider to be medically necessary.

"In addition, requiring supervision and delegation of some tasks by an on-site ear, nose and throat specialist is unnecessary and will seriously restrict access to audiology services. Hearing loss has a significant impact on communication ability and quality of life, as well as the ability of people who have hearing loss to live safely and independently. We urge you to reconsider these changes and ensure that the public has universal access to funded, medically necessary services, as is our right."

I have affixed my signature to it. I agree with the petitioners.

#### HIGHWAY 407

**Mr John O'Toole (Durham):** Respectfully, in the interest of saving time, I want to present a petition to the

House on behalf of the Kedron Dells golf course. The membership there are just outraged, and I'm going to read this petition to make it clear why they're outraged.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into the Durham region and the proposed route, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd Oshawa," which is part of my riding,

"Whereas such routing will destroy completely five holes, and severely impact two additional holes effectively destroying the golf course as a viable and vibrant public golf course,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded, public facility patronized annually by thousands of residents" not just in my riding of Durham but Durham region and the entire GTA.

I've got thousands of names here from constituents from all over, not just Durham riding, Durham region and the GTA. I'm pleased to sign and support this petition and to draw it to the attention of the Minister of Transportation, Brad Clark.

#### ONTARIO PUBLIC SERVICE

**Mr Pat Hoy (Chatham-Kent Essex):** "Whereas the November 2000 announcement of massive privatization of Ministry of Transportation services will have a significant detrimental effect on citizen road safety, confidentiality of citizens' information and on the economy of Ontario; and

"Whereas the employees of the Ministry of Transportation are recognized in writing by the provincial government to have provided excellent service on the government's behalf; and

"Whereas the government of Ontario is taking away the livelihood and decreasing the standard of living of thousands of employees and families by its actions both directly and indirectly through spinoff effects; and

"Whereas citizens of Ontario are entitled to safe roads, consistency in driver testing, and competent inspection of trucks, school buses and vehicles carrying dangerous goods; and

"Whereas communities continue to need to retain decent-paying jobs if they are to maintain viability and vibrancy; and

"Whereas we taxpayers have entrusted the provincial government with the maintenance of public safety with an apolitical and efficient public service, a service free of profiteering and protected from conflicts of interests; and

"Whereas privatization is an abdication of such public trust;

"We, the undersigned, petition the Legislative Assembly of Ontario to place a moratorium on any further privatization and to restore and promote public service as being of significant value in our society."

I have signed this petition.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have another petition regarding audiology. It reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, nerve stimulation therapy and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I agree with the petitioners. I've affixed my signature to it.

#### ORDERS OF THE DAY

##### INTERIM SUPPLY

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I move that the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing November 1, 2001, and ending April 30, 2002, such payments to be charged to the proper appropriation following the voting of supply.

**The Speaker (Hon Gary Carr):** The member for Oxford.

**Mr Ernie Hardeman (Oxford):** I am pleased to support the motion for interim supply. The motion will authorize the government to make payments after the authorization granted by a motion that expires on October 31, 2001. Without this authority, government payments for such things as civil servants, hospitals, municipalities and other transfer payments cannot be made. As a responsible government, we have an obligation to meet that deadline, just as we have an obligation to the principles of fiscal responsibility, accountability and growth, as announced in this year's budget.



The events of the last month have shocked us all. They have caused us to focus on our priorities. Regardless of our differences, I think we all share a few basic desires. We all want a safe place to raise our children. We all want access to a dependable health care system where and when we need it. We all want the best education possible for our children. A strong economy is the only way to ensure that the people of Ontario are protected and the services they need are available when they need them.

Our government is committed to ensuring a strong and prosperous Ontario. There are things a government must do to achieve those goals. The government must be both responsive and responsible, and the government must also be efficient and effective. Now more than ever, the people of Ontario need us to think ahead and exercise discipline through strong leadership and prudent management of their money.

Every day, families across Ontario make responsible choices in managing their own budgets. They expect government to do the same thing. Taxpayers expect and demand that government deliver high-quality services at the lowest possible cost. They expect to receive value for their money, the money authorized by the interim supply motion before us here today.

When this government was first elected in 1995, ministries did not produce business plans. I'm sure that many members in the House, like myself, have been involved in business at one time or another and understand the importance of business planning to the success of that business. Imagine running an approximately \$50-billion-a-year business or corporation without a business plan. There's no reason that government shouldn't be held to the same high standards as well-managed businesses in our province. It is our government that created the business planning process, and we are following it closely.

A well-managed business is also accountable to its shareholders. In this instance our shareholders are Ontario's taxpayers. We must be accountable in the same way that organizations and their workers must take responsibility for their performance and answer to those who pay for and use their services.

1520

Since being elected, this government has taken many important steps to improve both the services it delivers to the public directly and reporting on those it is accountable for. Providing a plan is one part of the accountability process. At the end of the year, the government must report on what it accomplished with the resources entrusted to it. It must state whether it has met the goals it set. The province's annual report and the audited financial statements meet this objective, but much more can be done to improve accountability to the taxpayer.

The process of improving accountability started in 1995 and continues to this day. We are not about to give up now. We must continue to be responsive to the needs of the people of Ontario. We must continue to make responsible choices on their behalf. That is why we need

to account for every dime we spend. In order to do that, we also need to ensure that all scheduled payments are met by passing the motion for interim supply. That's just common sense.

This year, we have introduced measures that will show Ontarians that their government is a responsible manager. The government has improved and will continue to improve its own ability to deliver value-for-money services directly to the public. It is with this goal in mind that we'll be undertaking a value-for-money review of government spending. This review will draw on private sector expertise to ensure that government services and activities are delivered in a cost-effective manner. The value-for-money review of government services and activities will ensure the efficiency and effectiveness of its programs. This review also ensures that programs provide benefits and are consistent with the priorities of the government and the people of Ontario.

The Ontario government must be responsible and accountable to its taxpayers. We need to ensure our partners in the broader public service, who deliver many government programs, do the same.

Our transfer partners play a central role in providing public services. The provincial government sets policy directions, establishes legislation and provides funding for services, such as health care, education and social programs. However, it is the transfer partner that delivers the service. These partners include our schools, hospitals, colleges and universities, and municipalities, which deliver services that are essential to the people of this province.

These bodies often have deep roots in the communities in which they are located. They are in an excellent position to leverage knowledge and expertise, prompt innovation and tailored solutions and access additional sources of funding beyond provincial transfer payments. However, the provincial government still cares about the financial and organizational efficiencies of its transfer partners and how well they provide their services.

We owe it to the people of Ontario to care. In fact, more than 80% of the funds we're talking about in this interim supply motion are in the form of transfer payments, payments which go to these organizations and individuals. That's more than \$45 billion a year. Ontarians have a right to know that they are getting value for the money they entrust to their government. They have a right to know that not a penny is being used unwisely.

This year we are proposing amendments to the Audit Act to allow the Provincial Auditor to conduct broader audits on publicly funded institutions. The proposed amendments would empower the Provincial Auditor to ensure that institutions that receive taxpayers' money spend it prudently, effectively and as intended.

Our shareholders, the people of Ontario, are entitled to have a clear idea of how their money is being spent. This legislation will add a higher level of transparency within publicly funded institutions. It will help the Provincial Auditor do his job in ensuring accountability and responsibility within these institutions. It will help estab-

lish a good accountability framework for government ministries to manage their transfer payments to their transfer partners, and it will help government improve the mechanisms that are in place in order to obtain value for money for taxpayer dollars.

But our responsibility to the people of Ontario does not end there. The Ontario Financial Review Commission was set up in 1995 and again in the year 2000. Each time, the OFRC recommended better planning and accountability within the public sector. The Provincial Auditor has also provided the same advice to the government in his recent annual report. And we listened to them. The proposed Public Sector Accountability Act would require all significant public sector institutions funded by the Ontario taxpayer to balance their budgets and report their business plans to the public every year. This will allow the public to evaluate directly how their hard-earned tax dollars are being used.

They deserve to easily access publicly funded organizations' plans and results through one simple document—an annual report. Taxpayers should be able to assess the performance of their local organizations against similar ones elsewhere in the province.

It must be emphasized that accountability does not end when the books are balanced. True accountability goes beyond the numbers. This proposed legislation guarantees a strong and consistent accountability framework for our publicly funded bodies, one that focuses on the value to the community. We challenge our transfer partners to show courage, to focus on services that are the most valuable to the people of Ontario, to eliminate programs that are outdated and that no longer serve their original purpose, to budget and to live within their means.

I want to make it clear that many efficient, well-run public sector organizations are already producing the materials the proposed act requires and I commend them for their achievements. At the very least, we must provide minimum accountability requirements across the broader public sector.

We believe that organizations funded with taxpayers' money should also be held responsible to carry out their operations in a fiscally prudent manner, in the same way that the government is held responsible. It is in this context that we are asking for all-members' support for the interim supply motion. We owe this to the future of this great province. If we are not accountable now, then our children will have a heavy debt to manage.

We want to continue to grow and thrive in this great province, but in a responsible manner. We want our children to grow up in a province that's full of promise and opportunity. We want to ensure that Ontario remains the best place to live, work and raise a family.

Thank you very much, Mr Speaker, for allowing me this time to speak to the interim supply motion.

**Mr Bruce Crozier (Essex):** It's my pleasure to rise today to speak to the interim supply motion that's before us. I want to pick up where my friend from Oxford just left off. He spoke of accountability and responsibility,

and he wants to assure the taxpayers of the province of Ontario that not a penny is being used unwisely.

I'd like to give an example of where I don't think they're following their own words. I want to bring to your attention an article that was printed in the Windsor Star on October 6 of this year. It's headed "Disabled Aides Cut by Schools." There's a third-grader, Candice Faerber, who attends Notre Dame elementary school with the help of a full-time educational assistant.

"The eight-year-old girl has spina bifida, a congenital defect of the spine that leaves her unable to walk and a condition in which excess spinal fluid puts pressure on her brain. An aide helps her get around in her wheelchair and writes out some of her homework so she can keep up with her class."

But in the week following this article, I want the folks in the province of Ontario to know, Candice will by now have lost the full-time support because of a Catholic school board decision to transfer Notre Dame assistants to other schools where they're needed, and I'll tell you why.

Her mother says, "She's going to fall between the cracks."

"Why should my daughter's education be disrupted?" she asks.

The Windsor-Essex Catholic District School Board, like the other district school boards in this province, has had to make some tough decisions. These decisions are the result of having their provincial funding for children needing intensive support frozen.

#### 1530

The board gets \$15.8 million from the province for special education—not a small sum. It's the same amount that it got two years ago, when the board had 366 special-needs kids. Now there are 436 special-needs kids.

I want to tell you about Marisa Borrelli, a fourth-grader with cerebral palsy and a learning disability. A classmate will be assigned to help her do her work, and the prospect scares her mom because she's afraid that parents will think their kids are being held back and they won't want to help these kids out.

The same stands true for the Greater Essex County District School Board. They're faced with about 800 special-needs pupils, but get provincial grants for only 580 of them. They have to overspend their budget in this area by \$1.5 million and make up for it elsewhere.

When it comes to not spending a penny unwisely, I want to put this in some context. We were told today by my colleague the member for Lambton that the cost of cabinet, the cost of running the political offices in this government, has increased from \$7,858,000 in 1994-95 to \$18,250,000 in the year 2000-01. That's an increase of almost \$11 million. Wouldn't that go a long way to help with the \$1.5 million that the Greater Essex County District School Board finds itself short and the \$750,000 the Catholic school board finds itself short?

In this cabinet spending, the annual salaries paid to ministers and parliamentary assistants have gone from \$751,000 in 1995 to \$1,103,000 in 2001. The cost of



running the government's cabinet offices, its political offices, has more than doubled since 1995, and yet what we read in this article is that the funding for our most vulnerable—our disabled children—in this province has been frozen while the need goes up.

The operating costs for cabinet office, as I've said, totalled \$18.3 million for the fiscal year ending in 2001. I think, when you compare the needs of disabled children in our province, those particularly in the school boards in my riding, to this increase in spending in the cabinet office for the political arm of this government, it's unconscionable. There are monetary perks for the Premier, cabinet ministers and parliamentary assistants that have jumped to \$1.1 million this year.

Since in 1995, of course, we know that Mike Harris and the Mike Harris government and the cabinet have ordered all ministries to streamline their budgets because of a slowing economy. Yet in light of this, they've taken our special-needs kids and what they need in this province and said, "I'm sorry, even though the numbers have increased, even though your need has increased, we don't have the money for it."

I don't think it's fair to the kids involved, I don't think it's fair to the families involved, and I certainly don't agree with the member for Oxford that this is spending every penny wisely.

We can say the same for our community care access centres, which serve the most vulnerable elderly and frail in our province. There too, because of an aging population, the need has grown. There too, because this government has closed hospital beds—critical care and long-term-care hospital beds—the need has increased, and yet while they can more than double the spending in Cabinet Office, they say to these elderly, frail, vulnerable citizens, "I'm sorry. We don't have the money for you." We have waiting lines now, if we can believe it, for care from our community care access centres. We have staff in community care access centres—nurses, nurses' aides, housekeeping staff—who probably aren't paid the wages that should be paid to them so that they can give aid to our elderly and our frail, and yet this government, apparently without any shame—because the Minister of Finance stood here this afternoon and attempted to defend that position—doubles the kind of spending they've done in the political arm of the government and says, "We can't afford to help you," in these other areas.

I know the need is great. In fact, what they spend on their political offices wouldn't come close to meeting the needs in the two areas that I've pointed out this afternoon. But that's not the point. It's the attitude of this government. It's when they go to these frail elderly citizens, it's when they go to our children who need our support, and to that increasing number who need our support say, "Well, we just can't afford to help you out." In fact, it would appear as though they can't afford to help any of them out.

Community care access centre staff do their best. Boards of education do their best. In fact, as we've seen, some boards of education find it necessary to cut back in

other areas just to try to meet the needs of those who need it most. They're not asking a lot. They're just asking for help so that they can have a fair shake in this world. It's a tough world; we know that. But all they're asking for is their fair share, for what they need to support them.

The increase is there in the numbers that need assistance, the increase is there in the need for quality assistance, and yet what does this government say? "We don't have enough money for you. I'm sorry. We have to increase spending in the political arm of our government." I think that's a shame.

**The Acting Speaker (Mr David Christopherson):** Thank you. The Chair recognizes the member for Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** Thank you very much, Mr Speaker. First of all, let me congratulate you on your recent appointment to the chair of the House. I look forward, as all members do, to the work that you will do in that chair, because we know that you will be an impartial and very fair Speaker. I'm trying to ingratiate myself with you before I even start.

I want to say upfront that I'll be splitting our time, as we are allowed to do under the rules, with some of my colleagues. So I would put that on the record first of all.

I also want to say that interim supply is one of those very few times that you get a chance in the House to speak overall about a number of issues that the government is responsible for, because by the rules of the House, interim supply allows you that latitude.

It is interesting now that the economy is going into a recession. The provincial government at this point, as we can see—they have been arguing for the past number of years now, since 1995 and the inception of their first income tax cuts, that the only reason the economy of Ontario has been able to accelerate, pick up and create the kinds of jobs that it has over the last number of years, is because of the tax cuts that the provincial government has created when it comes to the income tax side. I have listened intently to the debate of the members across the way and I have listened very carefully to what the Premier has said. He has been very clear. He has said from the beginning, along with members of the House, that if it had not been for the Mike Harris income tax cuts and cuts in tax to the corporations in the province, the economy of Ontario would not have benefited to the degree that it has today.

**1540**

I find it interesting that now when we find ourselves in a time of economic decline, the government still makes the same argument around tax cuts. The point I want to make upfront is that they can't have it both ways. They can't come into this House, take credit for the rebound in the economy—which actually started in 1993—say it's because of their tax cuts and then, when the economy goes down, say it has nothing to do with their tax cuts. I want to say upfront that it's a really inconsistent argument on the issue of the income tax cuts and the corporate income tax cuts, for them to be able to move

forward, saying that is the only reason the economy picked up. I think the economic decline we have now goes to show that in fact the income tax cuts were not what was greatly responsible for the rebound in the economy.

I would argue that one of the reasons, and not the only reason, the Ontario economy did pick up and has done well over the past number of years since 1993—and, by the way, it was an NDP government in power in 1993, 1994 and 1995 when the economy actually did start to turn around and the number of jobs increased in Ontario—is because of the reality that we trade with the United States. Over 90% of the goods that are produced in Ontario are exported to the United States market, and when there's a huge demand in the United States, such as there has been since 1993, the Ontario economy tends to do well. We are directly related to the economic situation as it unfolds in the United States. I always found it interesting when the government would make their tax cut argument. I used to joke and say, "You know, their tax cuts are so good that it managed to rebound the American economy as well. Imagine what would have happened if they had accelerated it even more."

The point again is that as the American economy went up in 1993, so did the Ontario economy, and now, since their economy has started to slide last summer—even before September 11—so has the Ontario economy. I want to talk about the kinds of things that we need to do as legislators in the province of Ontario—as a New Democrat—and what the response should be in order to try to stimulate activity in the economy.

The first matter I want to deal with is the issue of the tax cuts. I want to say here, as I said before, that I'm not going to stand here and say, "Tax cuts in themselves, even on the income tax side, have absolutely no effect." Of course they'll have some effect. But the argument I would have is that if we have a choice of which taxes we need to cut, there are some that are more effective than others when it comes to giving that shot to the economy. If I go to income tax and I say, "I will reduce the rate of taxes paid on income for the provincial share of income tax," and I give X percentage of reduction, the amount of money that you get in your pocket as a consumer is very little. In fact, the recent accelerated cuts in income tax that the provincial government announced some three or four weeks ago, we now know are basically going to amount to about \$16 of tax savings to the average consumer from September to December, inclusive. What are you going to stimulate with \$16 if that \$16 is spread over a three-month period? The reality is that nobody's really going to notice. Is it going to have any kind of psychological effect, and will it have any real effect on stimulating the economy? I argue, not. I say if you're going to have any kind of a tax cut, you've got to do it somewhere where people see it.

What's the tax that we all see? It's the PST. So I would argue, as my leader Howard Hampton does—that's why Howard Hampton has proposed this, along with our finance critic, the now Speaker in the chair, Mr

Christopherson—that if we want to stimulate the economy by way of tax cuts we need to do it on the PST side. When consumers walk into the store and want to buy an item, especially a big-ticket item, and they can get extra savings by way of PST cuts, there's a bigger and bigger enticement to purchase.

For example, I would have noticed, Mr Speaker, as I think you did, that on the weekend a federal Liberal in Ottawa was calling on the federal government to remove GST on all car sales between now and the month of January. Of course, this member represents a riding in Oshawa that is heavily represented by the Canadian Auto Workers in that area. He argues—and I think a good argument—that if you were to eliminate the PST on auto sales from the month of October until the beginning of January or mid-January, it would be a stimulus for those people who want to buy a car to go out and do so.

Imagine if Ontario was to follow Howard Hampton's suggestion. He was the first to come up with the idea; I'm glad to see that at least the federal Liberals are listening to the suggestions made by Howard Hampton, our leader. If we were to do that as well in Ontario, that would be a 15% saving for the consumer trying to buy an automobile. Imagine the incentive that the dealers across Ontario would be able to promote when it comes to car sales. Anybody looking at buying a car would be running to the car lot, saying, "I can save 15%," and then car dealers would jump in on top of that and say, "Hey, never mind that you save 15% between PST and GST cuts, but I'm prepared, as a dealer"—and I imagine Ford, GM, Chrysler, Mazda and the rest of them would be jumping out and saying, "Here, we've got savings as well." You'd really see a boon to the number of automobiles sold in the economy of Ontario. That would have a direct effect.

That's why our leader, Howard Hampton, and our finance critic, Mr Christopherson, along with all New Democrats, have been calling on the provincial government to move on the issue of PST. If we were to do a PST holiday, either partial or full, we're open to where that line should be drawn—it might be a 3% reduction on PST on all goods across the economy or maybe we want to be specific and say on certain big-ticket items, children's clothes or whatever it might be; we're prepared to move when it comes to that—it would be a direct incentive for the retailers in Ontario to go out there and aggressively go after sales in the pre-Christmas run-up to the month of January. That would do a lot, in my view and in the view of other New Democrats, to help stimulate the economy.

I say to the government, it's a question of choices where you do tax cuts. Your argument is, give tax cuts on the capital side to corporations. I say that's wrong. Who's going to benefit? Who benefits out of the capital tax reduction in Ontario? Is it Mr and Mrs Worker who make \$50,000, \$60,000 a year? Capital taxes will hardly affect them. Is it the small business person who is struggling to make ends meet? I would argue it's not them. Who's going to benefit? It will be those large corporations who move cash out of the province and out of the country and



banks across this province who will greatly benefit by way of capital taxes.

What Harris has decided to do, and the Conservative government generally, is to say, "We want to give corporations a huge tax incentive and not give that to the people at the other end of the economy, those people making \$60,000 a year and under." They're going to put all their eggs into corporate tax cuts. I argue that's not where you need to put it. You need to put it on the consumer, where people can see it in order to help stimulate the economy.

It's clear the economy is starting to slow down. If you read the analyses that are out there in financial papers, on the Internet and wherever else you get your information, how long and how deep that recession is anybody's guess. I hope, as many do, that we don't end up in a recession, that things rebound and we find ourselves back where we need to be when it comes to economic growth. I think all members of this assembly, as well as the working people across the province, the small business sector and everyone, don't want to see us slide into a recession, but there are some predictions out there that this recession could be deep and it could be long. Before it starts to slide, we need to pick up the economy and give it a bit of a boost so that we don't end up sliding the way we did in 1989 and 1990.

What are some other things this government can do to stimulate the economy? I would argue one of the things we're able to do, and this is in the field of regional economic development, is to assist those people, those individual entrepreneurs and existing businesses across the province who are trying to get themselves organized or trying to reorganize themselves as businesses with access to capital. We all know how difficult it is to get money from a bank when you're trying to start off a business idea.

I gave a speech on Saturday night in the community of Hearst at an economic development conference. In that particular speech I said if you take a look at banks, it is just as easy for them to process a financial application from a corporation for a \$2-million loan as it is for somebody coming in with an application for a \$100,000 loan. For that reason, they tend to want to lend money to larger and larger organizations or businesses, because in that way it's the same amount of paperwork and for the same amount of work they're able to make more money. So the whole area of loans to individuals and small businesses that are \$200,000 and down are very difficult to get. The banks really don't want to be in that business.

1550

So I argue, why not put in place a program that we can administer through our credit unions and our caisses populaires that would be simply an incentive program in order to assist the credit unions and the caisses populaires to lend money to people who come through the door, who have good ideas to start up or to restructure an existing business for a loan that's \$200,000 and down?

So what you could have is a type of loan guarantee where you say the following: Presently, if I walk into the

bank and I want to borrow \$200,000 to start up a business, I have to come up with 20% of the money, either by way of security or by way of cash. Often the person has the idea, and he may only have 5% or 10%; he doesn't have the full 20% worth of equity in his home, or cash or bonds or whatever it is that he might have.

The bank says, "We're prepared to take a risk if the person comes in with 20%, but for us, as a bank or a credit union, to be exposed to the risk of the business and the individual to have only 5% or 10% is a risk we're not willing to take." Would you, Mr Speaker, lend out money without some sort of assurance that, if something happens, you have a bit of a guarantee?

I argue, why not look at the type of program that would be a financial incentive program that basically says if a person walks into a credit union or *caisse populaire*—and you may expand this to banks, but at this point I talk about credit unions and *caisses populaires* for a specific reason—and says, "I've got a great business idea. Here's my business plan," the credit union or *caisse populaire* manager looks at it and says, "Yes, this is really good." The economic development officers who work with it through organizations such as Nord-Aski or North Claybelt and other economic development associations, say, "Yes, this is a sound business plan, but the person has only got 5% equity"—that the provincial government guarantee part of that loan in order to make the credit union or *caisse populaire* comfortable enough to lend the money to the individual. The province says, "The credit union will be responsible for 50% of the debt should the business opportunity go under. The individual coming forward with the idea has to put forward a minimum of 5% or 10%, and the province will secure the rest of that loan."

My guess is, that would go a long way to stimulate development in the local regions across Ontario. If we don't do that, I argue, economic development, by and large, will happen in the major centres, such as Toronto, Hamilton, Windsor, Oshawa and Peterborough, because those communities are big enough and those economies are large enough that they basically tend to take care of themselves to a large extent.

But in local economies and rural and northern Ontario, it is very difficult for those economies to grow and prosper if you don't have the kind of tools that they need at the local level to be able to assist those particular entrepreneurs to get their businesses going.

Let me give you something else that I think we could do, and that is the whole issue of a certain amount of risk equity that needs to be out there in the market place. I was talking the other day to a credit union manager up in Kapuskasing, a Mr Fillion, who attended one of my community clinics on Saturday. We talked about this very issue, and Mr Fillion, who is the manager at the local credit union in Kapuskasing, said, "I have people come into my credit union who basically are people who have proven themselves in business. They've been around for awhile, sometimes 15 or 20 years, they've got a proven track record, they're committed to the

businesses they operate, they're good at what they do, but because of whatever has happened to the economy or whatever has happened to the local economy or to their businesses, they find themselves in a tough spot."

He gave me an example: A particular individual has a whole bunch of repair costs on vehicles that he has for his business. The costs of those repairs over the last year have put him into debt for about \$25,000, but now he needs to replace his vehicle in order to continue doing the business that he wants. As a result, you would have to go to the bank and try to get a loan for probably a total of around \$50,000.

The credit union was very uneasy in doing that, because this individual doesn't have the kind of equity they need to be able to secure that kind of loan, so they had to turn that individual down. Mr Fillion said to me, "Why don't we put in place a program where credit union managers are able to approve loans that are somewhat more risky than others in limited situations?" He suggested, for example, if a credit union has \$2 million in their portfolio of business loans, maybe 10% of that loan portfolio could be allowed into a risk financing type of program, long term, in order to assist those kinds of businesses. In other words, you wouldn't do it all the time. The credit union manager, he or she, would have to be very strategic about who they give it to, because on a \$2-million portfolio they may only have \$100,000 to access in this higher-risk financial guarantee. In cases like that, where there really is somebody there deserving of a break but it's a question where they need to do this in order to reorganize their businesses to get on with making money and paying off their bills, the credit union or caisse populaire manager would be allowed to approve that type of loan, with the province taking on part of the risk.

What would be wrong with such an idea? As a New Democrat, I know we've had these discussions within our caucus and are looking at some of these issues as possibilities of what can be done to assist local economic development in regions across the province.

Another thing I think we could be looking at is the whole issue of what can be done when it comes to apprenticeship training. In the province of Ontario, apprenticeship training is almost non-existent when it comes to the type of apprenticeships that you and I, Speaker, would be familiar with. As do I, you come out of the workplaces, the factory floors across Ontario.

There was a time in this province when a worker who may have had only a grade 10 or 11 and who went to work in a car plant, went to work in auto manufacturing, or in construction or mining or lumber, whatever it might be, had an opportunity to get into an apprenticeship and a trade somewhere in the province in order to get the skills to become a skilled tradesperson. The way the apprenticeship training used to work, the province would pay part of the apprentice's costs at the beginning of the apprenticeship. For example, where I worked, at today's wages an apprentice would be paid, as an electrician, about \$18 to \$19 an hour. The employer doesn't want to

pay \$18 or \$19 an hour for a brand new apprentice, because he or she doesn't know anything and is not valuable enough for the employer to pay those kinds of dollars. So the province, once upon a time, used to say, "All right. We'll pick up 40% of the wages for the time the apprentice is in their apprenticeship for the first year. Then we'll send them off to school and we'll give them three terms in school over a period of three or four years to get the technical skills." And as the apprentice got more and more experience, the amount of money that the province used to subsidize the employer went down until finally you had a trained, skilled tradesperson who was capable of doing the job and was worth the money to the employer.

Employers across this province used those apprenticeship training programs. You would know, member for Oshawa, because you know a lot about what happens in the auto plants in your area. Thousands and thousands of men and women, tens of thousands, across the area were trained by way of apprenticeship training programs.

We have now moved to an apprenticeship training program that no longer has economic subsidies to the employer. In other words, if I'm Ford, GM, Mallette, Tembec, whatever the company might be, the entire cost of the apprenticeship training program, by and large, is borne by the employer. What incentive is there for the employer to train apprentices? Absolutely none.

So I say that not only in the skilled trades—I'll explain outside the skilled trades, but specifically for this debate in the skilled trades—we should be returning to a real system of apprenticeship training in this province. We should be saying as a province that rather than utilizing welfare money to prop up a stupid work-for-welfare scheme that the Tories have put in place—it really is not an effective use of money. You know as well as I do, Speaker. What are they doing with the work-for-welfare thing? They're not putting anybody back to work. It all looks good on paper, but at the end of the day it's a scam. It doesn't really do anything to get people back to work.

What you need to do is to put those dollars into real training and to say to the employers across the province—and for this debate I'll talk about skilled trades—"If you're an employer and you have need of a skilled tradesperson, we will assist by way of real apprenticeship training within your employ. We as a province will pick up the cost of training, such as we do at the community college system. The federal government will pay by way of employment insurance the wages of the apprentice when the apprentice has gone to school, he or she, and we the province of Ontario will pay part of the wage of the apprentice as they train through the apprenticeship training system for the employer." So maybe in the first year the employer only pays 30% of the actual wage; in the second year 60%, and onwards, until finally the employer is paying the entire wage at his or her cost because at that point they have a skilled tradesperson.

1600

I would argue that you can do that not only in skilled trades, but you can also broaden the apprenticeship



training system to look at other areas. This might sound very far-fetched, but for example I'm going to raise a local paper in my community which has hired a couple of reporters who have never been reporters, have never gone off to journalism school, don't have a degree in English, basically have no professional training to be reporters. But the employer, for whatever reason, rightly or wrongly—I'm not going to debate that—has hired these reporters on to their particular paper. I would argue, why not give those kinds of employers an opportunity to actually have an apprenticeship training system, where through the community college system and, yes, even across the university system we tie those types of apprenticeships to our community college and university system; that they not be just holus-bolus and an employer can hire somebody and get some money, and God knows what they're going to do with the training, but have real training tied to the community college system or the university system, if need be, in order to make sure that those apprenticeship trainings are structured, that they're set up in such a way that at the end of the day both the employer and the employee who is being apprenticed gets something positive back and we are able to give opportunities to people in the workforce to upgrade their skills.

That would be very useful for a number of reasons, Mr Speaker. You represent an industrial riding, as part of my riding is. Your particular end is steel; in ours we take out of the ground. Not the steel, but we're into copper, zinc and gold, and lumber manufacturing as far as paper and wood products. Unfortunately, there are cycles in those industries and people lose their jobs as the cycle goes downward. You know as well as I do, Mr Speaker—how many friends and family and neighbours do you know in your community who are 40 years old, or even 50, who have lost their jobs after working for a large industrial employer for a period of 15 or 20 years?

For example, I'm just going to pick one out of the air, a good friend of mine, Mr Gilbert Morissette, who was a mechanic at the mine where I used to work. He was laid off because the mine closed down after, I think, more than 20 years of service. Gilbert is about my age, in his mid-40s. What kind of training do we offer people like Gilbert to move on to some other job that may be available in the economy? What is wrong with having a real apprenticeship training program for people like Gilbert, where we say, "Go out and look around. See what you can find. If there's something that interests you and you're able to convince an employer that you would be of value to him or her, we will provide an apprenticeship training program for you to start with that employer," so that there's an incentive for the employer to hire that new individual? There's an advantage because, if they're able to train that individual from the very beginning, it gives them an opportunity to train according to their own needs. It would give the kind of tools—I'll use the government's language—to the employee so that they are able to market themselves within workplaces across Ontario and give something to em-

ployers that is of value. That would be a positive way of using taxpayers' dollars to assist people to get jobs.

Another thing I would suggest that the government could do, for example, is turn around and say, "We will give you a tax break when you create new jobs on your payroll taxes." If an employer in the province of Ontario hires new employees—and you would have to have some sort of mechanism that they don't fire employees and rehire them the next day—there is a tax cut of some type for employers who hire new employees. What would be wrong in suggesting that? That's one of the suggestions we make as the New Democratic caucus to the province of Ontario to assist provincial employers to hire new people and give them an incentive. What would be wrong in saying we will give some sort of a tax cut on money spent to improve your plant or to build a plant or to remodel your plant that will create the new jobs? The issue is that we create incentives and not disincentives for employers to create work in the province of Ontario. Those are just some of the things that you can do.

One of the other things I think we need to do, because we have been very bad at this as a province—and this is just not the Conservatives—is the whole issue of whom we do business with. I have always been worried about our approach in Ontario of putting all our eggs in one basket. Why is it that when we talk about trade in the province we look only to the south? We look at our trading partners in the United States and say, "Man, are we lucky to have you as a brother and sister south of the border." We allow ourselves to have over 90% of our exports into the United States. It virtually means we are captives of that economy. I would argue that what we need to do in the province of Ontario—and this is a longer-term issue—is to start promoting trade with countries other than the United States. I'm not saying to stop trading with the States. It would be nuts to do that. That's not the argument. But we should be looking at expanding our markets by trying to make the kinds of connections that we can east-west across Canada, but again, further east and further west to Europe and the Pacific Rim so that we're able to better situate the economy of Ontario as a real exporters' economy.

I've had this conversation with people at various times here in the House, and they say, "Oh, that can't be done," and "It would be too much trouble," and "We couldn't be competitive selling widgets that are produced in Oakville, Ontario, to some place in Finland or China or Thailand or wherever it might be. How do you compete with that?" they say.

Let me ask you this: how could it be that Finland and Norway and Denmark, which are pretty progressive economies—a big part of Finland's trade, we'll admit, is with the Soviet Union, but they don't trade 95% of their produced goods to the Soviet Union, now Russia. They're trading with other European nations but, more importantly, they're trading into Canada and the United States. If you look at manufacturing equipment in the mining sector, one of Finland's major customers when it comes to mining equipment is here in Canada. They

produce it in Finland. Once they've built it, they market it and they sell it into Canada. I don't understand why we as an economy can't do the same. They're a high-wage economy. They're heavily unionized, more so than the province of Ontario. Their wage structure is higher than ours. They are extremely well organized as a labour movement in Finland, with a higher degree of unionization. They have better social programs than we do here, to a large extent. They have a better transportation and public transportation system than we do in Canada. They are a more regulated economy. And they can afford to trade with countries halfway around the world better than Ontario can? It tells me that we didn't try.

So I argue as a New Democrat, and I'll argue along with our finance critic, Mr Christopherson, and with our leader, Howard Hampton, that Ontario has to start resituating itself and rethinking itself as to where it plays in the world economy. We cannot just look at the United States and say, "Oh, boy, are we lucky to have you as big brother and sister," and all of a sudden come back and say, "We can't find ways to trade with the Pacific Rim and with Europe and other nations across the world."

Those are some of the things that I think this government could be doing when it comes to promoting economic development in the province of Ontario; those are some of the things that I think we should be doing to try to prevent or slow the recession that is starting to happen in the province. I call on the Minister of Finance and the government members, if they do anything, to at least support the PST cut that my leader, Howard Hampton, and our finance critic, Mr Christopherson, have been advocating for a number of weeks now. If you want to get the economy going and you want to give it a good shot in the arm, one of the things you can do is to listen to what both Howard Hampton and David Christopherson are saying, and I can guarantee you that will help get the economy going.

With that, Mr Speaker, I want to thank you for having the time to put that on the floor today.

**The Acting Speaker:** Further debate?

**Mr John O'Toole (Durham):** It's my pleasure to rise this afternoon. Minister Flaherty earlier today rose and addressed the House with respect to government motion number 61, to authorize the paying of "salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing November 1, 2001, and ending April 30, 2002, such payments to be charged to the proper appropriation following the voting of supply."

Clearly, it's to pay the bills. As such, members are given the task of responding, and in our sense certainly it's supportive of this initiative.

It's important to start out with having the broader view. This government's policy to this point in time has really been predicated on having a strong economy so that you're able to provide the quality of life that every Ontario citizen needs. I can say that to establish that policy and drive it down further into the culture of the organization is a team activity. In that, we're very much

dependent to work co-operatively with the civil servants who are outlined or addressed in this government notice of motion.

But it starts even further away from that, I think. It's the ability to set about having a strong leadership team—that would be Premier Harris and cabinet, and caucus as well—and then having the ability to make strong fiscal decisions appropriate for the economics of the time. Clearly, that all takes strong leadership.

I'll just take a moment to recognize the strong leadership we've been fortunate to have. Premier Harris wasn't daunted in his task of making those difficult decisions. When it comes down to Premier Harris and the cabinet, I think I can say, as we enter this time when there will be a change in leadership, that we're fortunate to be blessed with very, very deep and very rich ranks of talent within cabinet.

**Mr James J. Bradley (St Catharines):** Name names.

1610

**Mr O'Toole:** Throughout my remarks today I'll try to stay away from mentioning specific names, as the member from St Catharines is drawing me into it.

But I think one of the closer views I've had of how important the civil service is in supporting government in achieving its goals and policies—it's appropriate for me to recognize that as a member of the estimates committee. I find it quite informative and educational to be able to pull upon the civil servants who are usually in attendance at those meeting to respond informatively to members. There is great richness of depth in the civil servants, so they do need to be paid, if that's what this notice is about. Ontario is in a good position, and I think it's because of government policy and initiatives and the leadership that I've outlined.

I do want to veer off here a little bit. I want to follow up, Mr Speaker, with your indulgence, and address the importance of the estimates committee process that I've been part of.

The first one was the Ministry of Health, led by the Honourable Tony Clement. They appeared before the estimates committee, as you would know, several times. I was quite impressed with the members of the ministry who were there to respond to specific questions that I had. You might know that the questions I had related to my riding of Durham. In more specific terms, they related to the challenges facing Lakeridge Health, which comprises a number of hospitals: the Oshawa General site, the north Durham or Port Perry site, the Bowmanville site, the Whitby site, and then there's Ajax-Pickering, which are part of the Rouge Valley group. They've had some challenging times, and I placed some important questions before the committee on October 9.

Mr Clement had the staff resources there to respond. I just want to acknowledge, with appreciation, John King, the ADM for health care programs, as well as Paul Clarry, who responded specifically to my inquiry, and I might say quite knowledgeably, about the currency of the issue facing the Lakeridge board in their capital program;



in fact, how some of the programs for patients could be affected.

I am confident that the minister has intervened and is making sure that we, the citizens of Durham, will have a cancer treatment centre by the year 2003. Everyone who lives in Durham or anywhere near Durham knows how critical that is to our future.

There was also David Stolte, director of the health reform implementation team.

I just want to refer members to the very specific questions I raised at that time through Minister Clement and had clear responses from Mr King and Mr Clarry. They reassured me that the government isn't interfering, that the Ministry of Health and Long-Term Care staff are there to make sure we deliver on our commitments.

Part of what I want to achieve this afternoon is to recognize that the estimates process is very, very beneficial, and I encourage members of the public to log on to the government's Web sites and find out the record of civil servants' participation in those processes.

As you probably know, the estimates committee meets on Tuesday and Wednesday afternoons. Right now we're in the midst of doing the Ministry of the Environment. These are program-by-program expenditure reviews. They're actually looking at the entire ministry, whether it's health, with \$24 billion, or the environment, with increased budgets as well this year.

Again, I have been very impressed with Elizabeth Witmer's leadership, but more specifically with some of the supportive staff and the information they've provided during those sessions. I've asked a number of very pointed questions with respect to the Oak Ridges moraine, the issue of biosolids and sludge, and Sound-Sorb and paper fibre and other issues that have been important to my constituents. The Protect the Ridges group has done an excellent job of research to make sure that what goes on our soil and on our land is indeed not going to have adverse effects.

I just want to thank—first of all, the Val Gibbons report set a new cornerstone for public service in environment, and that was referred to several times. A number of people there spoke with authority on such things as the Drive Clean program and the spill response teams; also the SWAT team, which is a team of qualified individuals from the ministry who intervene in emergencies, respond and issue orders or whatever is necessary. In fact, the record is clear that the number of orders and charges on violators are up. I might make it clear that, in my view, most of the conforming businesses, whether it's small-town Ontario or corporates, try to conform, and you do need to have oversight.

In this respect, I was quite impressed when questions were asked with respect to the government's initiatives on brownfields and what steps are being taken on smart growth. The ministry was there with the expertise at all levels to respond under Deputy Minister Jan Rush, Dana Richardson, the assistant deputy minister of corporate management, as well as a number of other important civil servants.

The point of what I'm trying to do here today is to at least take a moment to recognize that it's a team. There's the government, which sets policy. It absolutely has to have leadership and vision, and as such it is very dependent on having a strong, effective, committed civil service. Part of this interim supply bill is indeed to recognize that we need to have the resources to pay them appropriately.

The third ministry that I'm looking forward to over the next week or so—we start a new ministry after we're finished with environment; I think it will likely be next week—is the Ministry of Energy, Science and Technology, under Minister Jim Wilson. I had the occasion today to ask Minister Wilson a question about sustainable energy.

As you would know, I am a member of the alternative energy committee—a fascinating process. But there again, there are a number of staff, both on the research side for the committee as well as within the ministries—whether it's environment or finance—who are able to provide very compelling resources and research. For that I am very pleased as well, that this government has the commitment of the civil service, I believe, to do the job that's necessary to respond. Minister Wilson will be supported by Bryne Purchase, the deputy minister. I'm sure there will be a lot of questions about clean air and sustainable energy forms as we move toward the market opening in 2001.

**Mr Bradley:** And Beck 3.

**Mr O'Toole:** What the member from St Catharines just said is important. Beck 3 will be one of those things the alternative energy committee will certainly be examining. I can tell you that I've been there on my own on a weekend drive. I had heard and seen some of the business plans for that project and wanted to see it physically and was quite impressed. There is a resource there. It's a sustainable resource in the form of water power generation.

I also want to urge all members of this House to support this motion of interim supply. All members should join me, as part of that vote of confidence. It's a vote of confidence in our civil servants as much as it is a vote of confidence in this government. The House can support this motion with confidence that the spending authority will be employed responsibly. This government has a record of spending wisely in the best of times. It is even more important, of course, to spend wisely in times of less certainty and, some would say, slower growth.

Minister Flaherty brought in a budget that I thought challenged each of us to be more responsible, to respond and be accountable. That's the key. Since 1995, the Harris government has worked hard, I believe, to build a fiscally sustainable economy for the people of Ontario. Let's go back to the premise I started with: the strong economy; having the right place to invest, to live, to work, to educate your children; to have confidence in that economy looking into the future, that effort is rewarded, that you're not just going to be taxed to death for the rest of your life.

We set about three basic principles, which were: cutting unnecessary spending, especially when you consider

the deficit. We were running close to a \$12-billion annual deficit. With all respect to the third party, the NDP government of the day was in difficult times but made very uncomfortable—I would say wrong-headed—decisions. But they were difficult times, and the minister of the day, Floyd Laughren, did his best. I remember chatting with him one day, and he told me that at one time they opened up the books and it was close to \$18 billion in deficit, and the revenue was going into the tank; nothing they had done that precipitated that essentially, except that the expenditure side kept going—there was a bigger and bigger gap. That's a problem that perhaps we, as a government, could find ourselves in as well as the revenue sources start to dry up a little bit. But we committed to cutting red tape, or at least balancing the budget, and I might say we balanced the budget for the third straight time—a record in the last 100 years, it's my understanding.

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I think that comes back to fiscal responsibility, as I mentioned before, and accountability. There are governments out there that will promise anything to get elected, but when they get elected they don't do as they promised. So the hallmark of Premier Harris was certainly keeping his promises.

Leadership is not defined in what some would think is the glorious role. It is a very difficult decision. I think of Prime Minister Jean Chrétien: difficult decisions. Good thing he's got John Manley beside him. The other one would be President George Bush: very difficult decisions. Six months ago people were dismissing him as incompetent. But those decision-makers surround themselves with good talent, so it's a team thing. Anyone who thinks they're individually responsible for outcomes has got the whole game wrong. You're only as good as the people who are with you, and you've got to be focused clearly; you can't have people going off in multiple directions. Perhaps that might explain some of the lack of response federally. The only one who has come out very clearly there, of course, is John Manley. Paul Martin: never to be seen, never a budget heard from him.

Minister Flaherty said today there will be an economic statement in early November. I'm confident the minister will be working diligently with staff to develop those numbers that are real, and he will be listening to chief economists like Don Drummond, an economist with the TD Bank, one guy who I think is a formidable expert in those areas, who looks at the big picture of economics. I'm sure Minister Flaherty will be meeting with those economists to get the right number to give the economic statement in early November.

Because of our prudent approach to the economy, we are in a better position today, as has been said by many, to withstand the slower economic growth.

We propose to accelerate the tax cuts. Again, that goes back to the leadership of Premier Harris. We brought those tax cuts ahead. An earlier speaker, Mr Bisson from Timmins-James Bay, made the comment that Howard Hampton, to his credit, has come forward suggesting that

there should be further tax cuts. He's suggesting it on the retail sales tax side. I can't, quite honestly, disagree totally with the theory, because each one of us has a certain amount of income, and the lower your income, the more non-discretionary that income expenditure is. In other words, you're buying groceries, paying the rent, getting the car fixed. It's all taxed. It's taxed when you make it; it's taxed when you spend it. So we really can agree on the theme that taxes are too high. That's the general theme that I would agree with.

More specifically, lower-income people's tax—because all of their expenditures are non-discretionary, whether they're buying an ice cream or a dozen doughnuts or whatever they're buying, or gas or clothes or winter boots. I'm a parent of five children. I know that a lot of my wife's income and my income is spent to—and it's taxed when it's spent. So we agree on that accord.

But I think right now it's clear that the evidence so far—there have been over 850,000 net new jobs created in Ontario since 1995, and the experience was to reduce taxes. There's an old theory, as you know, that was referred to as the Laffer curve, which said it's a regression, that if you reduce taxes, you'll increase revenue. In fact, we did reduce taxes, and that cost the government. It cost us in lost revenue to the tune of about \$4 billion. But the lost revenue on the tax side was picked up on the other side with increased revenue on the personal income tax—more people working, more people paying.

**Mr Bradley:** It didn't happen.

**Mr O'Toole:** It's clear; it's in the public accounts. The member for St Catharines can refute it, but the record is clear. As matter of fact, many other jurisdictions, the member would know, have followed the principle of the Taxfighter, Premier Harris, and his cabinet, making the tough decisions that tax reductions are a way to signal investment and confidence and to make effort and work worthwhile.

If I thought of an economist sitting down with a little model, watching everyone who made between \$38,000 and \$78,000, and they modelled that little group and they taxed them to death—that middle-income group, they tax them when they make it and they tax them when they spend it. All their RSP contributions eventually will be clawed back by federal legislation. It's almost sickening that most of those people won't qualify for Canada pension because it'll be clawed back as part of the recovery program from personal RSP, RIF or LIF incomes.

But there's no doubt the foundations for renewal of healthy, long-run growths are intact. Looking over the dip, looking down the road, you'll see that the economy is far more diversified. The economy is stronger and more confident. There isn't a nation, let alone a province, in this world that isn't suffering some slowdown, not simply because of September 11 but because of world harmonization and integration. Globalization is the cheapest product for the cheapest price with the best quality. That's what people are looking for. Whether they're shopping at Costco or they're shopping at the corner store, they want price and quality.



We're all in this together, employers and employees, and governments have to be responsive to that. Part of that cost is red tape. Part of that cost is tax.

I was just reading an article last month in which it was clear that the cost of regulation in Canada, in both real and external terms, is about \$11,000 per individual. The report I was reading—I will cite it for the record—was the Fraser Institute. It's a series of economists with a lot of footnotes to other global economists; it wasn't strictly a think-tank from that side. It stated that the cost of regulation is now becoming an important consideration for all provinces, in fact all jurisdictions. In fact, Australia was just here recently, and I believe our Red Tape Commission, chaired by Steve Gilchrist and co-chaired by Frank Sheehan, will be attempting to have a summit here next year on government regulations. It eventually costs someone to enforce that regulation and whoever uses that should probably end up paying for it.

Slower growth is now expected in part, as I said, because of the recent terrorist attacks in New York and Washington. That was a horrific event. The world has changed. That's been said many times. Our lives have been changed and we are thinking differently. We are a community. We're brought together more. I would put to you, on the positive side of this whole event of September 11, that it's brought people together. At the end of the day, we know we have to coexist. If we're fragmented by terrorism and by abuse of individuals' rights, then we're all suffering.

I remember an expression I heard many years ago in school, and I really didn't understand it, which is that man is born free—that's you and I, human beings are born free—yet everywhere is found in chains. Those chains are the personal responsibilities we assume for the safety and well-being of others. My freedom is limited by people who are perhaps less fortunate or by our ability to operate as a community, so there is an interaction or a relationship.

This government, as I bring it back to topic, is committed to providing the right place to live, to invest, create jobs, to raise your family and to have a great quality of life. I think we should stop being negative because the track we were on was clear. The gap was widening because, to fund the increasing deficit, to fund the increasing accumulated debt, the only alternative was to raise taxes. We took the alternative to lower taxes and to lower spending, where appropriate. It's strong leadership. It comes back to the very essence of my point: strong leadership to make the right decisions that best benefit the greatest number of people. There are always going to be people who are unhappy with difficult decisions.

Undoubtedly, the province will be affected by the tragic events in the United States. This is inevitable, given Ontario's close trade relations with the United States and the tragic impact on investors and consumers alike.

I think the world has changed. I've heard the opposition, Mr Phillips and others, say that we aren't

responsible for the economic recovery; that is, Premier Harris and his cabinet. I would put to them that the corollary to that is that if we're not responsible for the recovery, then we're not responsible for the current downturn. But I do hold our government accountable to have the right policies in place on capital tax, on employer tax, and on those ways that discourage investment.

1630

It's too early to determine the overall impact on the economy of the terrorist attack on the United States. The Ministry of Finance is closely monitoring emerging data on consumer and business response to this situation and financial market conditions. I can tell you I'm well aware that Minister Flaherty is bringing forth an economic statement. I know he's meeting with economic experts and his staff within the ministry. I'm certain and I feel confident that that disclosure will be important for the marketplace and for the families of Ontario.

Some forecasters are more pessimistic than others and there's a wide range of uncertainty. New data are coming in and will give a clearer sense of where the economy is heading. In the meantime, there are positive recent indicators that give us grounds to continue to have confidence in Ontario's economy. Given this confidence, we can support this motion of interim supply knowing that the revenue will be there to support the expenditures.

This government is committed to a balanced budget. Keep that in mind. It's not just a matter of writing blank cheques, as some governments in the past have done. Our government has worked hard to strengthen Ontario's competitive fundamentals through tax cuts and other policy stimulants to investment. As a result, we've emerged as one of the most competitive jurisdictions for business investment and job creation, not just in North America but in the G7. We have the fastest GDP growth in the G7 nations. We intend to maintain and further strengthen Ontario's competitive position. That involves a brighter future for every Ontario citizen.

"Look ahead, young man," is what John A. Macdonald used to say. Look ahead. Don't be confused by the current dip in the economy. To this end, in the 2001 Ontario budget, Minister of Finance Jim Flaherty announced Ontario's Edge, a package of tax reduction incentives, and transportation and environmental infrastructure projects. Ontario's Edge involves, among other measures, moves to improve Ontario's tax competitiveness to be the right place to invest and do business, create jobs. One component is a tax-rate cut for business. We are legislating this full schedule of corporate income tax rate cuts each year between now and 2005.

Mr Phillips takes great exception with this next phrase: by 2005, no Canadian province would have a lower general corporate income tax, which will make Ontario a prime destination in North America to do business. Clearly, if you look at globalization, just look at the North American market. One of the inhibitors to investment is tax competitiveness. If you're going to be tax-competitive, why not go all the way and be the best?

Ontario does want to be the best place to live, to invest and to raise your family. They also give business certainty for the future. Because of our tax protection legislation, businesses know that they will not be a hit with increased taxes in the future.

Also, part of Ontario's Edge is our first step toward eliminating the job-killing capital tax. This capital tax is one that to many viewers, some listening today, is unique, perhaps, to Ontario. Many other provinces don't have it. It is certainly unique in Canada. It is a drag. It's a drag on investment. It's a drag on accumulation for plant expansion. If, in down times, a commercial property owner with a mall had vacancies because of slow job growth or whatever, short-term, they would still be paying capital tax on that commercial plaza. So there's a penalty. Not only are they not making revenue, they would obviously be paying municipal tax, but they would also be paying the dragging capital tax. Tax on capital discourages investment in capital, when capital invested per worker is what is needed to boost productivity and our living standard.

We have taken the first steps toward eliminating the job-killing tax by removing it on the first \$5 million of capital tax. We have accelerated this step by proposing to make this effective October 1, rather than January, as originally outlined in Minister Flaherty's budget. This would eliminate the tax for more than 11,000 existing small- and medium-sized Ontario businesses, as well as benefiting large firms that pay this tax.

I have listened with some concern. I have, in closing, a couple of remarks. The member for Timmins-James Bay mentioned apprenticeship training. There are important agreements between the federal and provincial governments on retraining. I think that retraining agreement has not been signed in Ontario because the federal government doesn't want to pay its share. We get a lot of new Canadians and people who need skills training. I'm certain there will be more discussion on that in the future.

I'm anxious and waiting to hear from the member for Northumberland, because he has always tried to speak as much as I have, so I'll just continue and give him as little time as possible.

The five-year, \$1-billion SuperBuild millennium partnership initiative will support urban revitalization, including transit and environmental infrastructure in Ontario's large urban centres. These large urban centres are Hamilton, London, Windsor, Ottawa, Sudbury, Thunder Bay and the regions of Niagara and Waterloo.

I'm certain the member for Northumberland will make many of the same comments, because we're on the same team. In fact, he may even have the same speech.

I think Ontario is in a sound economic position. It's clear that it is the right thing to do, to vote for this government motion number 61, the supply bill, which will make sure that our civil servants, who are part of Ontario's strong government team, will be rewarded for the efforts they have provided to the people of Ontario.

With that, I'll share the rest of my time with the member for Northumberland.

### **The Acting Speaker:** Further debate?

**Mr Bradley:** I'm pleased that the Minister of Energy is in the House today so that I can continue to try to persuade him of the wisdom of proceeding with the Beck 3 generating station project. He reminded me an awful lot—Mr Sterling would remember this. You have to look around the House to see who would remember this, but there was a character in the *Howdy Doody* show called Phineas T. Bluster. I thought there was a lot of bluster in the answer of the minister, and having been a minister in years gone by, I recognize that when you don't have a good answer, bluster is often the best tactic to adopt. He adopted that. I want to compliment him. He adopted it well this afternoon for his own colleagues.

But the fact remains—and my friend Mr O'Toole would confirm this—that there are many supporters of the Beck 3 generating station project on the alternative fuels committee. His colleague Mr Gilchrist has spoken at some length on it. The Minister of the Environment seems to be very supportive of it. I know my friend the member for Niagara Falls is supportive. Mayor Wayne Thomson is very enthusiastic. This is a good project. It's a win-win project.

I was a bit worried this afternoon when the minister said there wasn't any money for it because nobody would lend Hydro One, which we used to call Ontario Hydro, any money. I would like to know, then, where they're getting the money to buy up all these local utilities. The Liberal critic in energy, Mr Conway, has said, for instance, that Brampton cost—what?—\$260 million for Hydro One to purchase. For the city of Thorold, which is nearby, it was \$17 million. They're paying about a 30% premium when they buy up these local utilities, and I think there has been in excess of 80 of those local utilities purchased. If they have the money for something they shouldn't really be involved in—that is, buying up the retail end of local utilities—then why wouldn't they have the money to invest in Beck 3? There are few projects which are what we call win-win projects. The environment certainly wins—

**Hon Jim Wilson (Minister of Energy, Science and Technology):** Ask me again tomorrow.

**Mr Bradley:** The minister asks if I'll ask him tomorrow. I might get a different answer tomorrow, I would hope.

**Hon Mr Wilson:** No, you'll get the continuation.

**Mr Bradley:** I would hope he would be persuaded by the strong arguments that many have advanced in favour of the project.

First of all, I understand it's about a \$500-million investment.

**Hon Mr Wilson:** That's a lot of money.

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**Mr Bradley:** That is a substantial amount of money, and I want to concede that to the minister. I do want to say, however, it would generate a lot of economic activity not just in the Niagara Peninsula—and I'm parochial enough to say that I'd like to see that activity there—but of course there are suppliers and contractors



and so on who would be involved. I think you would see a substantial amount of economic activity that would benefit the entire province.

I have obviously exercised the Minister of Energy, because he is responding to several of these compelling arguments that I'm advancing at this time.

We have the huge Nanticoke generating station burning coal, spewing out sulphur dioxide, NO<sub>x</sub>, and 28 or 29 other poisonous substances, including mercury, which is very damaging to the brain, and a number of other substances. We could decrease our reliance upon the Nanticoke generating station and indeed coal-fired plants across the province, we could reduce our reliance on nuclear generating stations, because they have some safety problems and some operational problems, by proceeding with this project. I would be very surprised, if my friend Bart Maves were able to be with us this afternoon to speak on this bill, that he wouldn't be up on his feet agreeing with my contention that proceeding with the Beck 3 generating station is wise from an economic point of view and from an environmental point of view.

The Ontario Medical Association said there's \$1 billion in costs immediately. There are 1,900 premature deaths that take place because of air pollution. It's about \$10 billion when you look at the cost to the health care system and people missing work and so on. So here's a good chance for the government to proceed. I said when the Minister of Energy rises in the House, as he must, to make this announcement someday, I will be there to applaud because his government will have accepted yet another good suggestion and proposal from the Liberal opposition.

I want to deal as well, in the limited amount of time that I have, with certain other subjects and one is health care. Again, the Minister of Energy has been a health minister, so he would recognize the many deficiencies that are in the health care system as a result of its underfunding by the—I was going to say the Harris government; now I just say the Conservative government that is represented by a number of ministers here today.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** We are worried that the minister may not be looking after his own health. He seems to be much given to agitation these days.

**Mr Bradley:** Interjects the member for Renfrew.

I want to tell you that first of all, one of the real problems we have in our area is people with macular degeneration. They are people who could benefit from the drug that I think is pronounced Visudyne, and that drug can help the people to avoid blindness, particularly in a certain kind of macular degeneration. At the present time, people are paying in excess of \$2,000 per treatment for Visudyne. Rather than giving a \$2.2-billion tax gift to the corporations in this province—and I understand why that happens; they give huge amounts of money to the Conservative Party—instead of giving that tax cut, it would be good to invest that in something that would save someone's eyesight, would not bankrupt those

individuals in order to be able to obtain those treatments. So that's one.

Audiology services is another where we're going to see a substantial change. People won't easily be able to access those as they did in the past, and many people have contacted my office about that.

The community care access centres: Mr Speaker, you're from Hamilton. You know what the provincial government did in Hamilton. They got some flak from the CCACs, as we call them, that organize long-term care, so they fired them out the window. They fired the whole board, I understand, as they have threatened to do in other areas. There's no question that if you're kicking people out of the hospital quicker and sicker, you're going to have to have those long-term-care and home care services. Right now there's a major deficiency. I receive letters and telephone calls from people almost on a daily basis complaining about the fact that services have been cut back in that area. We have a population that is growing older. There's no one in the province who is getting younger every day; everybody is getting older every day after the day that they're born. We're going to need those kinds of services for people, and I plead with the government to provide that kind of service to people in our communities.

I also want to say that there's a need for an increase in disability pensions, disability payments to people in this province. They haven't had much of an increase, if any increase at all, in the last number of years. They could certainly use that to meet increased costs for such things as natural gas and home heating fuel and so on.

We all confront the problem of the bizarre pricing of gasoline in this province. I have called upon the Premier to call on to his carpet the corporate barons, the oil barons of this province who dispense gasoline at some strange prices. In some of our municipalities the price is substantially high and then you go to another municipality not far away, and it's lower. Obviously we have to have fair pricing of gasoline in this province, and we're simply not seeing it from the gas companies at this time.

We have seen at least 35 hospitals closed in this province, despite the fact that the Premier promised in 1995 that it was not his plan to close hospitals. The Hotel Dieu Hospital in St Catharines, when it's restructured, as they say, will no longer have any overnight beds. I remember Frank Sheehan dancing a jig with the nuns on the front steps of the Hotel Dieu Hospital when they were saved from closing. But what is left? As I say, there are no people staying overnight; it's day surgery and some other services, and certainly the emergency room will disappear.

We have housing being dumped on the regional municipality of Niagara, and that housing stock needs a lot of upgrading. That requires an infusion of funds from the provincial government.

But what it comes down to is this: the provincial Treasurer is proceeding unwisely with a \$2.2-billion tax gift to the corporations. As a result, he's going to have to apply a constraint; that is, slash left and right the various

ministries and the services that they provide. In addition to this, that's not going to create the economic stimulus they had hoped for. That's the situation we find ourselves in, and I'm waiting to hear some of my colleagues elaborate further on this.

*Interjection.*

**Mr Bradley:** The member for Renfrew says I can take a little more time, perhaps out of his time, and that does allow me to deal with a couple of other issues.

One is the issue of hospital care overall. Talk to anybody today and they will tell you it simply isn't the same. Because they are pushed out the door faster than they used to be, they find themselves in dire circumstances when they get home. The services that hospitals are able to provide, because they have fewer nurses now and fewer overall staff, aren't as good as they once were. In the homes for the aged we find that family councils and committees that are set up are advising us that the services there aren't what they should be, because of a lack of appropriate funding.

We find in the education system, both at the elementary and secondary level and the post-secondary level, that there's a need for operating funds. We've seen some capital projects proceed in places such as Brock University and Niagara College, but they're fearful that the operating funds are not going to be there to ensure that people are able to have access to post-secondary education regardless of what their personal income might happen to be. In other words, it shouldn't be just the richest people or the very brightest who have the opportunity to access post-secondary education.

I was flabbergasted when I saw the annual salaries paid to ministers and parliamentary assistants: in 1995 that was \$751,946 and this year it's \$1,103,488. That's a substantial increase, and the cabinet office has gone, as the Liberal member for Sarnia-Lambton said, from \$7.8 million in 1994-95 to over \$18 million today. So we see where the priorities are of this government.

I'm going to touch on one more subject, and I could touch on a number, but one more subject: the squandering of hundreds of millions of dollars now on self-serving, clearly partisan government advertising. The people of the province should know when that pamphlet shows up on the front steps, called ON, anything to do with the Ontario government, that's not the Conservative Party paying for it, that's the taxpayers of Ontario. When that television series on what they were doing in education, or I should say to education, appeared on the television screen, that alone was \$6 million or \$7 million of taxpayers' dollars. We saw those full-page ads concerning September 11. I looked through them and I thought, maybe we've got something here. There were nice congratulations to some of the people who worked. Then I looked through and the government started patting itself on the back. Unfortunately, it's again an excuse, using part of the ad for something legitimate, but the other part of the ad simply to congratulate the government.

1650

**The Acting Speaker:** Excuse me. Sorry to interrupt. There are at least four conversations going on in here in addition to the speaker. I would ask you to stop or take the conversations outside, please. Sorry for the interruption, member from St Catharines.

**Mr Bradley:** Thank you very much. I want to leave sufficient time for my friend from Renfrew. The government, I guess, gets the next opportunity to speak. I will now yield the floor to our next speaker.

**The Acting Speaker:** The floor is open for further debate.

*Interjection.*

**The Acting Speaker:** I know; I was debating whether or not I was going to give you the floor, since you didn't seem to want to acquiesce to my instructions earlier, but I will. I give the floor to the member for Northumberland.

**Mr Doug Galt (Northumberland):** Thank you very much, Mr Speaker. I appreciate your agreeing to give me the floor for just a few minutes. The member from Durham got so enthusiastic, there's not too much time left.

Interim supply is indeed one of the most important motions that is passed in a Legislature such as this. It is a motion that gives authority to the government to continue its many programs that benefit the people of Ontario and to operate the daily business of government. It gives permission to the government to send money to municipalities, hospitals and school boards around the province, sometimes referred to as the MUSH sector, to pay social assistance benefits to those in need and to appropriate the payment of salaries to the dedicated and hard-working members of the Ontario civil service.

As the minister pointed out, these payments are currently being made under the authority of a motion for interim supply which was introduced back on April 23, 2001. As you know, the House rules of the Ontario Legislature limit the period covered by an interim supply motion to some six months. The existing motion expires at the end of this month. Payment to all our funding partners and for government programs cannot be made after that date without this important motion being passed.

In order to ensure that all payments scheduled on or after November 1, 2001, reach the people who need them, it is necessary to provide the banking system and the postal system with some lead time. This lead time is especially important to individuals living in the far reaches of our north or in the many rural areas of this vast province of ours. For instance, the gold mining community of Red Lake is some 1,930 kilometres from downtown Toronto, while the many native communities of northwestern Ontario and the James Bay coast are only accessible by aircraft. I'm sure that all of my colleagues in the Legislature from the northern and rural areas can appreciate those concerns. It is not good enough to leave enough time so that payments can be made just here in Toronto. All the people in this great province of ours are important to our government. As such, the practice has been to provide at least five working days' lead time



prior to the end of the month to ensure that payments are made everywhere. Thus, this motion must be passed without unnecessary delay.

The proposed motion for interim supply would cover the six-month period from November 1, 2001, to April 30, 2002. We sometimes forget the far-reaching impact provincial government services give the people of this province. Let me give some examples: the police and firefighters who help the citizens in distress; the teachers and professors who prepare our youth for productive lives; the doctors and nurses and other health care professionals who care for us from the minute we are born to the time we take our last breath. These are all members of the broader public service whose salaries are paid by our government through the taxes of all hard-working Ontarians.

However, the high quality and wide variety of public services provided by this government demand accountability. I've spoken to people in my riding—business owners, families, public officials and many others—and they have all told me that they want more accountable government that is efficient. We strongly believe that tax dollars belong to the hard-working people of Ontario, not to the government. We must remember that all our government is accountable for a \$64-billion corporation known as the province of Ontario. Our government believes that the buck stops here.

Those famous words were spoken by Harry S. Truman, the 33rd President of the United States, who was in office from 1945 to 1953. Although those words were spoken almost a half-century ago, they're just as applicable today as they were to President Truman's era. Those words are probably the clearest and most well-known statement of accountability ever made. It leaves no doubt in anyone's mind as to where the ultimate responsibility lies. We owe this to the people of Ontario and we owe this to the next generation that follows, just as President Truman gave accountability to his generation of Americans.

Memories of the shocking and tragic events of September 11 in New York City, Washington and Pennsylvania are still with us. Although the attacks did not occur on Ontario soil, they nevertheless affected us all. Our close proximity to the United States, our shared values of freedom, security and diversity, made all of us feel more vulnerable than ever. Let us all hope that this appalling tragedy and its horrific loss of life are never repeated again. However, Ontario is part of the global economy, and with our close trading relations with the US, the provincial economy will be adversely affected by that terrorist attack.

Nevertheless, there are some very positive signs in our economy. For example, central banks have cut their interest rates sharply. This in itself will be an economic stimulus. Second, stock markets have recouped a large part of their losses from September 11. Again, the stock market moving ahead is a good indicator of a recovery of our economy. Energy prices have fallen, which increases

the disposable income of Ontarians and increases the competitiveness of our industries.

A preliminary US report on consumer sentiment in October shows an improvement over September. US auto sales improved in the first 10 days of October. Furthermore, over the first seven months of 2001, Ontario retail sales are up some 3.5% from the same period in the year 2000. For the year 2000, sales increased by some 7.3%, following a similar rise in 1999. This was the fourth year of strong growth.

Also, Ontario department store sales advanced some 9.8% in August compared to August 2000. Over the first eight months of 2001, sales are 8% ahead of the same period last year. In August, Ontario auto sales were even up by some 0.8% over July. Ontarians bought a record of 660,820 new cars and trucks in 2000, surpassing the previous record set in 1999. Sales were 2.4% in 2000, following a robust 13.1% advance in 1999.

Over the first months of 2001, Ontario housing starts are 4.7% ahead of the same period last year, which was the best year since 1989. Last year, housing starts in Ontario rose by some 6.4% to reach an 11-year high of 71,521 units. But in August, the value of residential building permits rose by 4.6%. Over the first eight months of 2001, residential permit values were up some 3% compared to the same period a year ago. In 2000, residential permit values rose by 4%, to their highest level since 1989.

In August, Ontario MLS home resales rose by 10.1% from August 2000, reaching a level of 15,018 units and making it the busiest August on record. Over the first eight months of 2001, Ontario MLS home resales are 7.8% ahead of the same period in 2000. Toronto Multiple Listing Service home resales rose 3.4%, year over year, in September, to a level of 5,021 units. Over the first nine months of 2001, Toronto home resales are 13% ahead of the same period last year.

#### 1700

According to Stats Canada's Revised Public and Private Investment Intentions, total investment in Ontario is expected to increase 7.9% this year, revised up from last February's projection of 5.2%. This would bring total current dollar investment spending in Ontario to \$71 billion this year. Business investment in non-residential construction is expected to jump 16.1%, led by strong gains in transportation, warehousing, utilities, businesses and commercial services and construction industries. All these positive signs indicate that the economic fundamentals of this province are sound, due to this government's responsible fiscal management.

This is consistent with what I'm hearing in my riding. Just last Wednesday, when the real estate people were here having their day at Queen's Park, Scott MacDonald and Donna Causton were in to speak to me in my office. They were telling me about the robust real estate industry in my riding, and that's certainly consistent with what I've been hearing. The tourism industry, whether I'm in Northumberland or up in Hastings, Lennox and Addington or Frontenac, the same kind of thing: this year is

actually better than last year. We have exciting things going on. Great Dane is going to start building trailers in Quinte West next year. They start their plant for the building of trailers; some 500 jobs there. Just this morning we had a sod turning for the lifelong learning centre in my riding, which is going to be looked after by the Universal Workers Union, Local 183. My hat is off to that organization.

Just in closing, since 1995 our corporate and personal income tax cuts, balanced budgets, debt repayments occurred, strategic investment in health, education and transportation, and environmental concerns—all of these are of real benefit to society. In my firm belief, it is due to the Mike Harris leadership that Ontario is where it is today. His leadership has been an inspiration, and its legacy will not be soon forgotten. I am honoured to have worked with him and feel that he has helped position Ontario to be a global leader as well as helped make his government's ambitious goal ensure that the province has the best-performing economy and the highest quality of life in North America in the next 10 years. His leadership will be sorely missed, not only by myself but by this Legislature and the people of Ontario.

**The Acting Speaker:** Further debate? Is there any further debate? Last call: any further debate? Hearing none—I recognize the member for Toronto-Danforth.

**Ms Marilyn Churley (Toronto-Danforth):** Thank you. I think we had a little game of chicken going on here with the member for Renfrew. He won and I lost.

I have 20 minutes to talk about many things. There's not enough time to get on the record all the things I'd like to say today. I recall from the time when we were in government, Speaker, the difficulties of trying to govern under a very severe recession and the criticisms coming from this side of the House at the time when our government made a choice—some people think it was a foolish choice, others not; I'm one of those who thinks it wasn't a foolish choice. We made the choice at the time to not borrow money to give tax cuts to the wealthy, as the Tory government, the Harris government, has done. They have borrowed, is it billions of dollars—I forget the exact number now—to finance their tax cuts to the wealthy.

I recall the difficulties of trying to make those decisions, to keep communities afloat, to try to make sure that we saved industry—for instance, some of the industry up north that was about to go under, working in partnership with those communities to save those jobs successfully, to come up with programs in our communities to keep people working, to not cut welfare, I recall, although there was a lot of pressure, I believe in particular from the party that was then the third party sitting on this side of the House, the Conservatives, to cut those kinds of programs for vulnerable people. We chose not to do it. We chose to continue to build affordable housing so that poor people and people who were being hurt by the recession could continue to have decent, affordable housing to live in.

We chose to do all of those things because our government felt it was important, particularly in times of recession, when it's always the most vulnerable, and a lot of middle-income people, who are the most hurt. We believed it was the government's role to make sure in those very difficult times that the money was there, the programs were there, the housing, the supports, that all of those things were in place to help people.

The NDP came into government at a time when the Liberals were still in power, after the recession had started, and we governed during that very difficult period. Then the Tories, lucky them, came into power some time after, when we were seeing light at the end of the tunnel, and took over. They had an opportunity to do more to enhance our communities when we were in good economic times, but they chose to do the opposite. What is really galling about it is that they chose to do the opposite while at the same time borrowing money, billions of dollars—I just can't get over this and how they can get away with it—to give mostly wealthy people and large corporations a massive tax break.

Here we are now going into another recession. Of course we all knew, before the terrible, tragic events in the United States happened, that the economy was going into a downturn. We knew that was happening, and I think we all are seeing very clearly that the events of September 11 are having a very negative impact on our consumer confidence and on our economy.

Those opportunities were there to do some building in our communities, particularly after the first year or two when the government came to power and decided to make massive cuts across the board to finance their tax cuts. There was some hope that after the first couple of years were over there would be some stabilization and that there would be refunding of those programs that were cut. But we're not seeing that now, of course. The concern is that it's a real cry in the wilderness to be asking the government to be funding some of these vital programs at this time. I want to talk about a couple of them that I find very alarming.

I think it was last week in question period that I raised in the House that our caucus had received a leaked memo. It's dated October 12, 2001, Children's Aid Society of Toronto, and it's written to all staff from Bruce Rivers, executive director of the children's aid society.

What it says is this: "On October 4, 2001, members of the executive team, along with their counterparts from CCAS and JF & CS, were called to a meeting at the Ministry of Community and Social Services. We were informed that recessionary trends in the province have worsened and been further exacerbated by the events of September 11. As a result, we were informed that all government spending"—all government spending; my emphasis there—"is being affected and funding for child welfare agencies across Ontario will be seriously restricted." The memo then goes on to talk about how they're going to manage that.



But it really struck me that in this memo what these people were told is that all government spending is to be affected. That makes one wonder what is going on across the board in all of the other ministries. The Ministry of the Environment is now before estimates. I have repeatedly asked and have been told there have been no further cuts. To date, the minister is not aware that there are going to be any, but there is great concern that that ministry can't take any more. In fact, I have to hand it to the new Minister of the Environment. Since she came in as minister, there have been small, tiny injections of funds into that ministry; not nearly as much as they took out, believe me, but at least we were seeing it go up again. Now there's real concern that it's going to go down.

1710

I want to come back, though, to the children's aid society. I think we all agree in this House—we all agree; there's no argument about it—that our kids are the most vulnerable in our society, and these kids we're talking about, who come into the hands of the children's aid, are the most vulnerable. Government has to play a very important role in making sure that these kids are taken care of.

There have been a couple of studies done. I have one here dated February 19, 2001: "Kids Remain at Risk, Study Shows." What they talk about in here is that the government keeps on saying—and this was the answer in response to my question about this—that the government recently announced \$123 million for CASs. But you know, it's another shell game. That was not new money. This happens repeatedly. To the public out there, it sounds like a huge injection of dollars. That sounds like a lot of money. But this is money—and it's important for people to understand that we have a near crisis in children's aid and that whole sector right now—that's owed under the government's inadequate funding formula. In other words, they have to pay—government is forced to pay—the per diems up to a certain amount with the new caseloads. So what they did is announce that with great fanfare, and it's a cynical attempt to gain glory for not really doing anything, not helping in this crisis situation in children's aid.

So I'm looking forward to the government coming forward and telling us, legislators from all parties in this House—we shouldn't have to find out. I wonder how many backbenchers in the Tory party know what's happening in all the ministries and what cuts are being made. We need to know that. The government finance minister should stand up and tell us exactly where these cuts are going to be, because we don't know. We just found out about that one through a leaked memo.

I want to talk about community care in East York and about the challenges, to put it nicely, they are facing there. I know that community care right across the province, in varying degrees, is in the same boat. That's because the province made a decision to freeze the province's 43 access centre budgets at 2000 levels. That's going to have, and is having, a devastating impact

on seniors, and I see it particularly in seniors in East York.

The government says they haven't made any cuts, which is true. They've frozen the budgets. But what they don't tell people is that they were underfunded before. So in order for these community care centres to meet the needs—and even then they weren't meeting all the needs, believe me, but at least to attempt to meet the needs—of the frail, the elderly, the disabled, the sick—again, vulnerable people—they were, every year, having to cause a deficit in their budgets. What was happening was that the government would come in at the end of the year and give them enough money to cover those deficits. So freezing the budgets at 2000 levels is having a devastating impact right across the province.

What's happening is that personal care has been cut to subpar levels. You have situations now where incontinent clients are receiving one to two baths per week. That is one of the saddest things I've heard. One can only imagine the kind of pathetic, awful state of these people who need the support of the home care workers and the caregivers, and they are no longer able to do that.

We're finding more demands being placed on already burdened caregivers. Their health is being placed in jeopardy. A lot of them are working extra hours. They are paid very low, far below their value, what they should be paid, doing some of the most important work in our society. They are working extra hours because they can't stand to see their clients in this kind of shape. So their health, the care workers' health, is in jeopardy.

This is an astounding number here. Because of these cuts, a total of 75,000 hours of client care per year has been cut since April 2001. Now, that's just the number, but if you factor in and you start thinking about real human beings who are taken care of during those 75,000 hours, we're talking about hundreds and hundreds of vulnerable people who need this support.

I want to talk about the environment briefly. I want to talk about water in particular. We all know what happened in Walkerton: seven people died, over 2,000 people got sick and there are still many people in that community who are sick today. There are real concerns that some of the children who became sick could have very serious kidney problems and other health problems down the road. It was a real lesson for us, a wake-up call. What did the government do? It brought in some new regulations, which environmental groups across the province have said are inadequate. Nonetheless, there are some new regulations.

My safe drinking water bill, because the government members didn't get quite enough numbers in here, and thanks to the Liberal members who were here and all of my colleagues who came in for the vote, didn't get killed, as it did the last time it came forward. They tried to send it to the committee of the whole House again, where they sent the last one. Of course, as you know, that's where bills go to die. This time it got sent to the general government committee. I'm hoping very much that the government will see fit to call that bill to committee before the

end of this session so we can have a discussion with Ontarians across the province about what kind of legislation and rules we need here in the province to protect our water.

Coming back to the regulations again, the government did, to be fair, in response to what happened in Walkerton, bring in some regulations that, compared to other jurisdictions across the country, are not bad. They don't do the job. There are all kinds of problems and all kinds of holes that need to be filled in, which the Safe Drinking Water Act does. But then, when they brought in these regulations, they didn't put any dollars along with them, so you have situations where you've got communities across Ontario trying to meet the deadline of the regulation that says their sewer and water treatment plants have to have certain improvements made, but they don't have the money to do it.

You've got a ridiculous situation, and this right here points out one of the flaws with regulations as opposed to laws. Some communities are asking the government to delay the implementation date for these upgrades because they don't have the money to fix them; so the government can, willy-nilly, change dates and change aspects. It's all done behind closed doors by the cabinet. Most of the backbenchers don't even know what's going on most of the time. They go behind closed doors and change the regulations. In this case they can do that, and that's the way they may have to deal with the fact that they haven't provided the funding for municipalities to upgrade their systems.

In estimates, I asked Minister Witmer about funding for these municipalities. I remember when the government announced this last summer, again in response to Walkerton. I must admit I was up at the cottage and I came down to Toronto to hear this announcement. Dan—sorry, my mind has gone blank; I forget the minister's name at the time. I guess that's telling. I came down for the announcement, and to my astonishment what the minister announced was \$240 million, which was a dribble, when I said at the time what was needed was a flood of dollars after what happened in Walkerton. But it wasn't even money dedicated to sewer and water upgrades: "The \$240 million available through SuperBuild for municipal infrastructure projects, including water and sewer ..."

I was trying to find out from the minister last week—and I'll try again next week—how much of that money has actually been spent on sewer and water programs. Do you know what? She has no control over where that money goes. She doesn't know. She doesn't get to look at the applications. It's not her role; it's not her job. She says that we have to go to the finance minister to find out how these decisions are made about who gets funding for what purpose. Of course, municipalities are strapped for cash because of all the downloading and the new programs they've had to pick up. They need money for all kinds of infrastructure programs in their communities. So this \$240 million available through SuperBuild is not nearly enough for the needs to upgrade our sewer and

water systems, and, furthermore, it's not a dedicated fund to upgrade our sewer and water systems. How can the government bring in what they call tough new regulations to upgrade our sewer and water facilities without dollars attached to them? It doesn't make any sense. Now they're finding that they're in a hole. They talk about OSTAR—that's another fund they have—but again, it's a tiny amount of money. Municipalities are having trouble accessing that money, and again they need it for many initiatives other than sewer and water.

1720

Perhaps more than ever after Walkerton happened, and in particular after the catastrophic and terrible events in the United States on the 11th, one of the things we've seen through terrible loss of lives is the need for good government, the need for government to provide the services that keep us safe and healthy, that take care of our most vulnerable children, that take care of our elderly citizens and disabled people; that when we turn on a tap to drink a glass of water, we know the water is safe to drink, that when we go to a hospital in an emergency we don't have to be redirected all over the place—and in some cases there has been loss of life as a result of that.

Those are the kinds of things that when we pay our taxes we should bear in mind. We have to think about who came forward and whom we depended on during the events in Walkerton and during the events in the United States. Whom did we turn to? As a society, we turned to our public servants, we turned to the firemen and firewomen, the brave fire workers in the United States, many of whom died in the course of their duty. We turn to our police. We turn to our public servants to protect us and to help us. There's nothing that we can imagine more than the loss of life, whether it be seven people dying in Walkerton as a result of drinking water or thousands of people dying as a result of a terrible terrorist attack, that brings home to us how important the civil servants, the people we hire to take care of us, are to us. They're the people we depend on.

We see time and time again in this province, as a result of the downloading and the cutting of funds to all kinds of essential programs across this province, the devastating impacts and effects they are having on real people. So we as a society have choices to make. Choices were made in the last two elections to elect a government that said it didn't believe in government. They even said, "We are not the government. We're here to fix government." People have to determine whether that's the kind of government they want in the future or whether they want a government that's going to look after their interests and perhaps sometimes even do unpopular things, but make sure that the programs are there to protect us, to keep our children safe and healthy, to keep our water safe, to keep the food we eat safe, the police on the streets to keep our communities safe, our schools open, community programs available, things for our kids to do after school to keep them out of trouble. All of those things and more are important for safe communities. I



urge the government to rethink their corporate taxes which they're bringing in at this time.

**The Acting Speaker:** Further debate.

**Mr Conway:** Thank you, Mr Speaker. I'm delighted to see you in the chair and, as always, doing a splendid job.

Before I begin my remarks this afternoon, I would be remiss if I did not welcome my old friend and colleague Ken Keyes, who is in the upper public gallery. Ken was for many years the mayor of Kingston and for five and a half years, in the period 1985-90, the member of this Legislature for Kingston and the Islands and the minister responsible for the department of the Solicitor General. It's good to see you, Ken.

I want to make some remarks this afternoon in connection with government notice of motion 61, the resolution for interim supply standing in the name of our friend the Minister of Finance.

There is an old maxim of British parliamentary life that says there can be no vote of supply without a redress of grievance. This supply debate provides us, as members of the Legislature, with an opportunity to address Her Majesty's government from time to time about issues before the community, matters that are unresolved or pressures in the community that have been unresponded to. I have listened this afternoon to members on both sides of the aisle raise a number of issues, and I want to speak on my own behalf, on behalf of my constituents and my colleagues about two or three issues.

I do want to begin, however, by supporting those members who have preceded me in this debate about the very real anxiety and aggravation that exists across the municipal world in Ontario today about what can only be described as, dare I say, the constipation of that creation called SuperBuild. Municipalities, large and small, have over the last 15 to 18 months responded to a call from the Harris government to prepare capital applications and fit them into a number of SuperBuild programs.

I know that in the upper Ottawa Valley, my municipalities, with my encouragement and the encouragement of their friends in the provincial government, have made application to a variety of SuperBuild accounts. I want to be fair to the Minister of Colleges and Universities, because there's been some movement on that account. But beyond the activity in the area of colleges and universities, there's been precious little.

In the last number of weeks I have been approached by several people at the municipal level in my county, Renfrew, and in the city of Pembroke who are, to say the least, exasperated. Months after the deadline for application has passed, still no word—nothing. The town of Petawawa has an application before the Ministry of Citizenship, Culture and Recreation for assistance to improve a snowmobile trail, a very good proposal. It's got the support of the local municipality; it's got the support of the community. They've partnered with, among others, the Ontario Federation of Ontario Snowmobile Clubs, which has put some very real money on the table. Almost a year after the application was submitted, and

now as people in that partnership are beginning to wonder if the Ontario government is ever going to move, people are saying to me as their local member, "Please stand in the Legislature and ask your friends in government, 'When, oh, when is there going to be movement?'"

I'm delighted to see my neighbour and friend the Minister of Agriculture, Food and Rural Affairs here. He's a very dedicated representative of us all in eastern Ontario. I think he knows, generally speaking, of what I speak—his OSTAR fund has been heavily subscribed. I don't expect miracles; I know from my experience in government that these matters often take time. But I want to say in this supply debate today that we are almost abusing our municipal partners and the constituencies they put together to support their SuperBuild applications, whether for culture, recreation or water and sewer improvements, to name but three categories. The time for action on SuperBuild has arrived, all the more so because, as my leader Dalton McGuinty has rightly observed, we are now heading into a season of some very stormy weather economically. Hopefully, it will be a short storm. We all await the November 6 statement from the Minister of Finance as to what his best data suggest. But one would have to be living in some kind of cloud-cuckoo-land not to understand that in our Ontario economy, now so heavily integrated with the American economy, there has been a very significant downturn in the American economy, and therefore that will have a significant and unfortunately negative effect on the Ontario economy. What is it, 90% of all our exports from this province go into the United States market? The American economy is almost certainly in recession, and communities all across Ontario, particularly communities connected to the automotive sector, are feeling very real pain at the present time. The upper Ottawa Valley does not have a great economic connection to the automobile sector, though we have certainly some.

1730

I agree with the member from Northumberland, who said that the tourist operators in his part of eastern Ontario have reported a very good season, and certainly prior to September 11 that was the experience in my area, by and large, as well. But talking to my businesses in Renfrew-Nipissing-Pembroke, I can tell you that for most of them, the circumstances have changed and they are feeling a very real chill.

Other contributors to this debate have rightly observed that government has a choice to make. We're going to debate that choice over the next few weeks as we all, in our respective political parties, speak to the general electorate as to what kind of approach we would have. The Ontario Liberal Party, under the leadership of Dalton McGuinty, has said that we think jobs are absolutely central, and that the Ontario government has a role and a responsibility to stimulate, in every reasonable way, job creation. That's why just a few days ago Dalton McGuinty, Ontario's Liberal leader, said, "Let the Ontario government look at its capital budgets right

across the spectrum and find ways and means of bringing forward as many of those projects, whether in the hospital sector, the highway sector or other sectors where work is on the books to be done, and let those capital projects go forward in the public interest, because we believe those kinds of public investments will not only give us good results in terms of improved services, but their construction in this period of economic downturn will utilize capacity that at the present time is available to us because of recession or near-recessionary circumstances."

I want to use one specific example. It has to do with the highway program. I know my friend from Lanark, Mr Sterling, was just here. In eastern Ontario, we have a situation where four years ago the Harris government downloaded to the municipalities 50% of the old provincial highway system. I want to repeat that: about four years ago, in the middle of the Harris government's first term, the provincial government downloaded to municipalities fully 50% of the provincial highway system in the region. That was the highest percentage of download in terms of provincial highways anywhere in the province: 50% of the old provincial highway system was simply taken and transferred to municipalities, whether it was the county of Renfrew, the county of Lanark, the united counties of Prescott, Russell, Stormont, Dundas and Glengarry; fully 50% of the old provincial highway system was downloaded to municipalities.

So we are now left, in my part of the province, with a much-reduced provincial highway system. In my part of the province, no highway is more important than Highway 17, that runs up the spine of the Ottawa River valley in my area, up from Ottawa through communities like Arnprior, Renfrew, Cobden, Pembroke, Petawawa, Chalk River, Deep River, Stonecliffe and on to Mattawa and North Bay. Highway 17, as it sweeps westward through the Ottawa Valley, is an incredibly busy, congested and often dangerous highway, because the combination of the volume of traffic on that highway, together with the mix of traffic—regular commuting traffic going from Renfrew, Pembroke, Arnprior into Ottawa and back, log trucks, chip trucks, tourist vehicles, because for many people, that is a way to get up into Algonquin Park.

**Mr Wayne Wettlaufer (Kitchener Centre):** It's a bad highway.

**Mr Conway:** It is, as the member from Kitchener says, a very dangerous highway under altogether too many circumstances.

Just in recent weeks I've been driving up and down Highway 17. Just last Friday I went into and back out of the national capital, and I was astonished at just how heavy are the volumes on that highway today. To the credit of this government, a plan was announced—as it happened, on the first or second of June, 1999, within the last day or two of the last provincial election campaign, that if re-elected the Harris government would extend the four-laning of Highway 17 to the town of Arnprior. That

work is underway. We appreciate that, though there has been some delay.

I just want to make this point: that my constituents, whether they are older people living in areas like Braeside or Barry's Bay or Beachburg who are coming down that highway to medical appointments in Ottawa, or business people travelling up and down that very busy corridor, or farmers or tourists, expect this provincial government, with the revenues made available to it through the gasoline tax, to accelerate the four-laning of that Highway 17 westward because traffic volumes and public safety and economic development absolutely require it.

This year, according to the budget presented to this Legislature a few months ago, Ontario's treasury expects to net \$2.3 billion in the gasoline tax alone. When you add to the gasoline tax revenues of \$2.3 billion, the motor vehicle and other road-related fees and licences, you get another, roughly, \$1.5 billion, almost \$3.8 billion paid by those of us who use the highways, through the gas tax and motor vehicle and other road-related fees—totalling \$3.8 billion this year. I see this year, according to the budget, that the Ontario Ministry of Transportation's capital plan calls for the spending of \$673 million, down about \$120 million from last year and down about \$140 million from the year before.

Using Mr Flaherty's Ontario budget 2001, let me just remind this Legislature that this year, the Ontario provincial government plans to spend \$673 million on highway capital. Do you know that in 1997-98, we were spending nearly \$1.2 billion on highway capital?

If you look at the budget—

**Mr Wettlaufer:** What about the federal government?

**Mr Conway:** Well, exactly. The federal government has its responsibilities, and I say to my friend from Kitchener, if he wants to be a federal member of Parliament, there are 103 seats up there in Ottawa and he's welcome to have one of them.

**Mr Wettlaufer:** They take \$25 million.

**Mr Conway:** I understand that there are federal opportunities and responsibilities. I'm simply asking this Legislature to look at our situation. This year, the Ontario government will take in \$2.3 billion in gasoline tax revenues and other road-related fees of \$1.5 billion, for a total road-related revenue of nearly \$3.8 billion, and we're going to spend about \$673 million on highway capital.

According to the Canadian Automobile Association, using the most generous calculation, roughly 40% of the monies paid into the Ontario government treasury through the gasoline and other road-related taxes, only 40% of those dollars, are going back into the transportation system of this province. I stand here today on behalf of thousands of my constituents in the upper Ottawa Valley who say to me, "Stand in your place as our MPP and tell your own colleagues in the Liberal caucus and those across the way in the government caucus that we expect more of that road-related revenue to be spent improving Highway 17, among others."



1740

I have two highways, Highway 41 and Highway 60, that serve other parts of my region in eastern Ontario. I want to tell you, if you are down in the Griffith and Matawathan area today, and some of those people may be watching, they would want me to say, "Remind the minister of highways, remind the Premier, remind the Minister of Finance, that the state of Highway 41 between the villages of Denbigh and Dacre is unacceptable," and they're right. We've got to spend money on that highway, a very busy artery that connects Lake Ontario at Napanee to the Ottawa River at Pembroke: a lot of traffic moving up and down that part of eastern Ontario.

Highway 60, particularly the upper part of Highway 60 from the Barry's Bay area up to Madawaska, to be fair, is slated for some upgrade and renewal, but that's also going to be a function of available money. People in those communities, Barry's Bay and Madawaska, would want me to say, "How come you're not spending more of the nearly \$4 billion in road-related tax revenues to improve our highways?" for public safety reasons, for economic development reasons, and for other reasons that we could enumerate as well.

That's the kind of investment, particularly at this time of an economic downturn, that we should be making and why I totally agree with my leader when he says we've got to make tough choices, we've got to make good but prudent investments. If there is highway capital being spent in my part of eastern Ontario, I can tell you that will be good, not just for our local labour force, but it will be good for the service economy as well, and the work desperately needs to be done.

I want to repeat to the Minister of Finance and the Minister of Transportation, the people of Renfrew-Nipissing-Pembroke are not happy about the current condition of their provincial highways, particularly Highway 17, Highway 41 and Highway 60. They note that you, Mr Flaherty, now have only 50% as large a provincial highway system in eastern Ontario; you got rid of half of it four years ago. You've got this big pool of revenue, nearly \$4 billion, and you only have in my region 50% of the system you had four years ago. So presumably you should have more money to spend on the highways that are still in your system.

My constituents, who have mostly no public transit, have no alternative to their car or their neighbour's car or their neighbour's half-ton truck. OC Transpo, the TTC, Hamilton transit? You've got to be kidding if you live in Bissett Creek or Burns Creek or Wilno or RR 3, Westmeath. No such thing as public transit. But every one of those people who owns a vehicle is paying a very significant portion of those road-related taxes.

I want to make a second and final observation before I turn to my friend Mr Parsons, who will conclude the Liberal remarks this afternoon. We have in the city of Pembroke one of the oldest Province of Ontario Savings Offices in this great province of ours. I've got to say to the Minister of Finance that many people, particularly older people and people from the farm community in

Renfrew county, are very upset at this scheme to basically privatize the farmers' bank, the Province of Ontario Savings Office. I have been stopped more times than I can recall since the budget was introduced this spring with this plan to privatize POSO, the Province of Ontario Savings Office. In fact, one of my constituents, Mr Donald Broome of Cobden, has made a number of very specific and detailed submissions to me and to the Minister of Finance and other members of this Legislature saying that not only should the province of Ontario not close its savings office, but according to Mr Broome, it should be maintained and expanded and given more of a mandate to compete with the chartered banks.

Do you know what is infuriating people up in my area? I know from reading the provincial press that it is the same in much of the province served by the Province of Ontario Savings Office. What's going on here? What seems to be going on is that Mr Flaherty is shilling for the Canadian Bankers Association. That's what's going on here. We've known for decades that the big banking establishment doesn't like this pesky little service-oriented Province of Ontario Savings Office that can be found serving well the people in communities like Pembroke, Simcoe, Aylmer, Owen Sound, Kingston, St Catharines, Toronto, Ottawa and Woodstock—very good offices, 23 in all; very good service. People say to me, "What possibly explains this scheme?" There seems to be only one answer: finally the big banking interests—the special interests, the most powerful interests in the country—have found a treasurer who is prepared to be their cipher, to be their shill.

Do you know what's going to happen? What's really going to infuriate these good people—older people, hard-working people, many of them with a farm background in places like Pembroke, Woodstock, Aylmer, St Marys and Owen Sound? The Royal or another of the big establishments is going to buy it, and then they're going to close it down—in your face. Then, people with names like Conway and Hardeman and Arnott and Murdoch are going to have to go home and on the main streets of Woodstock or downtown Pembroke explain to people who have, for decades, put their money in that Province of Ontario Savings Office, not only to their credit but to the benefit of the Ontario government—it's going to be gone, and with it the good, personalized service. To whose credit? To the credit of the banking establishment, one of the biggest and most powerful cartels in the land.

**Mr Wettlaufer:** Maybe even the credit unions.

**Mr Conway:** Well, we'll see. But I've known many good old Conservatives in the province who must be rolling in their graves to think that one of theirs has finally bought the line that no one from Howard Ferguson to Darcy McKeough would buy—not even Klein. Klein is under the same pressure out in Alberta. Do you think Ralph Klein and whoever is currently Treasurer is going to buy this line and shut the Alberta treasury branches down? After the Pocklington experience, they might even have cause. But you know, one

Tory looking after another shouldn't make for that kind of public policy.

On behalf of those hundreds of my constituents who have said to me, "Why and in whose interest are we making this decision to shut down POSO?" I just want to say to Jim Flaherty, "Shame on you."

Over to you, Mr Parsons.

**Mr Ernie Parsons (Prince Edward-Hastings):** The challenge for the constituents in my riding to understand is not that this government is spending money but the way they spend it. So I struggle a little with this interim supply bill. The people in my riding do not see the \$107 million spent between 1995 and 1999 as good value for their dollar. They do not see the \$6 million that the Minister of Education is spending on telling the people how well her schools are doing; they do not see the million-dollar feel-good ad in the newspapers last week as good value for their dollar.

Who are the constituents that are telling me that? These are constituents who have been discharged from hospital and found there is no home care for them—there is money for ads. I had an elderly constituent who had her breasts removed in hospital sent home. Because of this government's absolute failure to deliver on its commitment for equity funding, she received zero minutes of home care. I have constituents whose children are experiencing hearing problems. This government has said, "We'll still pay for audiologists. They just have to be involved in working with a specialist." In my riding, there are no specialists. So the children in my riding who require intensive hearing tests go to Peterborough, except it's now closed; they go to Kingston, where there's a user fee; or they go to Sick Kids hospital, where there's a six-to-eight-month waiting period. So for those parents, for those sick people in my riding who watch the ads, who watch this government commit money to further its own interests while they truly and genuinely suffer, this government is spending money but not spending it wisely.

We have a number of constituents—I know every member in this House on both sides of the floor can talk about the pain brought to their constituents because of this government's delisting physiotherapy payments. We're seeing attacks on children and on the elderly to make the money to pay for ads or to pay for those \$200 buy-a-vote cheques, which I think will backfire, because the constituents say, "I don't need the \$200. My hospital needed the \$200. My access centre needed the \$200. The children in my community need textbooks."

So I call upon the government to take the money and stop spending it as if it was this mythical "government's money." That money has come from the citizens of Ontario, not all corporations, and in fact increasingly from working families that are struggling to pay for the basic necessities of life and are now being hit with user fees because of this government delisting and down-loading and putting user fees on. The dollars that this government spends belong to each and every citizen in this province, and they need to respect that.

**The Acting Speaker:** Pursuant to standing order number 66, the time for debate has expired. I will now put the question to the House.

Mr Flaherty has moved that the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing November 1, 2001, and ending April 30, 2002, such payments to be charged to the proper appropriation following the voting of supply.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a 10-minute bell.

*The division bells rang from 1752 to 1802.*

**The Acting Speaker:** Members please take their seats.

All members in favour of the motion will please rise one at a time and be counted by the Clerk.

#### Ayes

Amott, Ted	Hudak, Tim	Sampson, Rob
Baird, John R.	Johns, Helen	Snobelen, John
Beaubien, Marcel	Johnson, Bert	Spina, Joseph
Chudleigh, Ted	Klees, Frank	Sterling, Norman W.
Clement, Tony	Marland, Margaret	Stewart, R. Gary
Coburn, Brian	Martiniuk, Gerry	Stockwell, Chris
Cunningham, Dianne	Mazzilli, Frank	Tascona, Joseph N.
DeFaria, Carl	Miller, Norm	Tilson, David
Dunlop, Garfield	Molinari, Tina R.	Tsubouchi, David H.
Ecker, Janet	Munro, Julia	Turnbull, David
Elliott, Brenda	Mushinski, Marilyn	Wettlaufer, Wayne
Flaherty, Jim	Newman, Dan	Wilson, Jim
Galt, Doug	O'Toole, John	Witmer, Elizabeth
Gill, Raminder	Ouellette, Jerry J.	Wood, Bob
Hardeman, Ernie	Runciman, Robert W.	Young, David
Hastings, John		

**The Acting Speaker:** All those members opposed to the motion will please rise one at a time and be counted by the Clerk.

#### Nays

Agostino, Dominic	Di Cocco, Caroline	Martel, Shelley
Bartolucci, Rick	Dombrowsky, Leona	McLeod, Lyn
Bisson, Gilles	Duncan, Dwight	McMeekin, Ted
Bountrogianni, Marie	Gerretsen, John	Parsons, Ernie
Boyer, Claudette	Hoy, Pat	Peters, Steve
Bradley, James J.	Kennedy, Gerard	Phillips, Gerry
Bryant, Michael	Kormos, Peter	Prue, Michael
Churley, Marilyn	Lalonde, Jean-Marc	Ramsay, David
Conway, Sean G.	Levac, David	Sergio, Mario
Cordiano, Joseph	Marchese, Rosario	Smitherman, George
Crozier, Bruce		

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 46; the nays are 31.

**The Acting Speaker:** I declare the motion carried.

It now being after 6 of the clock, this House stands adjourned until 6:45 pm this evening.

*The House adjourned at 1805.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton Mountain	Bountrogianni, Marie (L)
Beaches-East York	Prue, Michael (ND)	Hamilton West / -Ouest	Christopherson, David (ND)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hastings-Frontenac- Lennox and Addington	Donbrowsky, Leona (L)
Brampton Centre / -Centre	Spina, Joseph (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wetlaufer, Wayne (PC)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Minister of the Environment / ministre de l'Environnement
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Davenport	Ruprecht, Tony (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Don Valley East / -Est	Caplan, David (L)	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Solicitor General / solliciteur général	London West / -Ouest	Wood, Bob (PC)
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Durham	O'Toole, John R. (PC)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	Mississauga South / -Sud	Marland, Margaret (PC)
Essex	Crozier, Bruce (L)	Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Northumberland	Galt, Doug (PC)	St Catharines	Bradley, James J. (L)
Oak Ridges	Klees, Frank (PC)	St Paul's	Bryant, Michael (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Transportation / ministre des Transports
Oshawa	Ouellette, Jerry J. (PC)		Cleary, John C. (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas-Charlottenburgh	
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Ernie (PC)	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Peterborough	<b>Stewart, Hon / L'hon R. Gary</b> (PC) Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Vaughan-King-Aurora	Sorbara, Greg (L)
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Samia-Lambton	Di Cocco, Caroline (L)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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Second Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

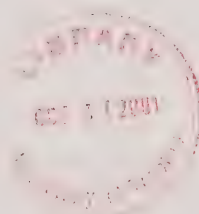
Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 22 October 2001

Lundi 22 octobre 2001



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 22 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 22 octobre 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### QUALITY IN THE CLASSROOM ACT, 2001

#### LOI DE 2001 SUR LA QUALITÉ DANS LES SALLES DE CLASSE

Resuming the debate adjourned on October 18, 2001, on the motion for second reading of Bill 110, An Act to promote quality in the classroom / Projet de loi 110, Loi visant à promouvoir la qualité dans les salles de classe.

**The Acting Speaker (Mr David Christopherson):** I believe the member from Trinity-Spadina has the floor, and he may now continue.

*Interjections.*

**Mr Rosario Marchese (Trinity-Spadina):** Boys, just relax. There are 52 minutes. Lie back in your chairs and enjoy yourselves. That's what this is about.

First I want to congratulate you, Acting Speaker and member from Hamilton Centre, on your new position. I hope you enjoy yourself in that position; I'm sure you will.

Secondly, I want to say hello to the good folks who are watching across Ontario. I know there are a lot of people, because I get my fair share of e-mail, which leads me to conclude there are a whole lot of people watching who are interested in knowing what we have to say, what you have to say and how we differ each from the—

**Mr James J. Bradley (St Catharines):** They're wondering how the NDP gets so much time with only nine seats.

**Mr Marchese:** With the kind blessing of the Liberal Party, we have some time here in this House. I thank you for that small benefit you have given us, but I know that some members over there would like more time. Isn't that right? You would love to have more time to debate in this House. You're quite right, and you should.

*Interjections.*

**Mr Marchese:** I know Mr Bradley in particular needs more time, and I hope he gets the time he deserves to speak in this important debate. I'm sure he will tonight.

Good citizens of Ontario, welcome to a political forum. It's 10 to 7, more or less, and again we're discussing a bill that's connected with teachers, poor, beleaguered teachers, who have to duck constantly every

other day because this government is out there with the guns, just aiming those guns and rifles at teachers in particular, federations, unions. Is that a terrible image? Perhaps it's too strong: poor, beleaguered teachers hunted by this government on a daily basis. Teachers are so dispirited and disillusioned that many want to leave the profession. Why is it that I believe the Tories are targeting teachers in a very specific and determined way?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** Temporary insanity?  
1850

**Mr Marchese:** It's not insanity. It's quite a sane strategy. They know exactly what they're doing. I say to you that they have done to teachers what they have done to welfare recipients. I liken the two because they fit. The good thing about Tories is that they know how to go after their supporters out there, and they know how to nurture those feelings that people have—good and bad—because at least six years ago people across Ontario were looking for an enemy, and they found the enemy in the welfare recipient. Everybody knew somebody or other, who may or may not have been able-bodied but looked able-bodied, collecting welfare. People in a recession were sick and tired of seeing that someone able-bodied was collecting a paycheque for not working.

Mike Harris had a solution for that. Mike Harris said, "We're going to make these people work," and the people of Ontario said, "Finally." But welfare recipients were not enough for this government. They had to target another group that could potentially be attacked by another sector of society, and they found that target. They were the teachers. In a very concerted way, this government went after teachers, because they know there were enough people out there who could potentially hate or dislike teachers on the basis that, one, they're paid well. The image of teachers that this government wanted was that those people are overpaid—not that they're paid well, but that they're overpaid. The other image they wanted of teachers for the general public was to show them as people who were underworked. That's the perception this government worked at—it didn't have to work hard—in making sure the public related to two things: one, that teachers are overpaid, and two, that they are underworked, and we've got to fix that. Just as we fixed welfare, we're going to fix the fact that teachers make too much money and work so very little.

I say to you, Speaker, that teachers are our real heroes. These are the men and women who, on a daily basis, work with 30 students in a classroom—35 or 38 students



from time to time—work with young men and women who are not all of the same level in terms of learning. There are in those classrooms some difficult students they've got to contend with, there are students with special needs whom they have to contend with and students who learn at different levels whom they've got to contend with. They do that with the skills they have picked up over the years, the skills they picked up at teachers' college and skills they picked up before that, having gone through the university system. They do that heroically, day in and day out. It's not an easy job. Teachers will tell you, John—

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I'm here for you.

**Mr Marchese:** I'm glad you're here, John. Minister Baird, you're a good man, and I know you came to learn.

Teachers work with young men and women daily, making sure they shape them as good citizens, because we want them to be good citizens—and we want them to be good taxpayers, don't we? Of course. Day in and day out, it's a tough job. A whole lot of people, when they go into that classroom, when they go into that school experience, wonder how teachers do it day in and day out. Some of them wonder how we do it day in and day out, but I think our job is a lot easier than what teachers do. I do; I really believe that. They put in long hours, making sure they create good citizens, and it's not an easy job.

This government comes along and says to them, "You're just not good enough—from time to time, you are." But in terms of every initiative that started six years ago, what they have shown school boards and trustees and teachers is that these people are simply not good, not good enough, and we've got to change, because the status quo was bad, and we've got to improve the system to make it better so the educational outcome can be what they want it to be for all those good taxpayers out there who are paying big bucks to make sure we produce good-quality students.

I couldn't read that, John.

I say to you, citizens of Ontario, that if you want a good product, you have to work with the people who work within that system. What I learned as a school trustee for eight years is that when you want changes, you need to be working with the people who implement them for those changes to be effective. This government has not once sat down with the profession and said, "We want to work with you." Not once. That is why, because of this neglect of the profession and the attacks and assaults on the profession, so many of our good teachers are leaving, and they're leaving in droves. So many are so disillusioned, dispirited and demoralized that they're quitting. They're quitting because they're tired of being treated badly, tired of not being treated as professionals, as they should be.

Teachers deserve a special place in this province, but we have—yes, I dare say—demonized them, because there is a public out there that says, "I get up at 6 o'clock

in the morning. I go to work. I go back home at 6 o'clock in the evening. I work hard," as if to suggest that teachers have an easy life and don't work hard. That's why the government is going after teachers, day in and day out, year in and year out, while at the same time you have Harris, the Minister of Finance and Madam Ecker saying how much they love the teachers and how much these changes are being introduced to help them, because, God knows, the Tories love teachers, and they do this because they love students even more. They love children much more, but it is true that they love the profession and want to help the profession. It's for that reason that they want to test teachers, because teachers want to be helped, are desperately looking for help. So the government quite obligingly says, "We're going to help you. We're going to test you. We're going to test you, because you professionals need help. You're calling and begging for help." The profession—

**Hon David Turnbull (Solicitor General):** Would you fly on an airline where the pilots weren't tested twice a year?

**Mr Marchese:** The minister raises a question about who else is being tested. I think your point is that other people are being tested. Is that correct, more or less? He nods in approval.

**Hon Mr Turnbull:** Surgeons? Yes.

**Mr Marchese:** Speaker, through you to the minister, does a surgeon have to go through some testing program to be recertified as a surgeon?

**Hon Mr Turnbull:** Yes.

**Mr Marchese:** Really? They take courses? Doctors go through 14 courses, like teachers do, at the end of which, if they don't pass—because there's got to be some kind of testing—they don't make it as doctors? They do that? It's not true. It isn't true.

**Hon Mr Turnbull:** What about police officers?

**Mr Marchese:** You see, these people want to make you believe that all the other professionals are being tested to stay whatever they are, whatever it might be, doctors or lawyers.

**Hon Mr Baird:** You're tested. You're the best in Toronto.

**Mr Marchese:** Minister Baird says I'm tested. It's true. I'm tested every four years. It's not a written test: are you a knowledgeable MPP? It's not that kind of question they ask you, right?

**Hon Mr Baird:** You're the best MPP. I read it.

**Mr Marchese:** I am. I've been selected the best MPP in Metro. It's true. That is true, but on what basis? I don't have to write any exams to show I'm a good politician—I don't. And while it is true that I've got to go through 80,000 or 100,000 people—however many are electors; that is the test we go through—most professions do not and are not required to do what you are requiring of teachers. They're not, not for recertification—not doctors, not lawyers and not many other professions I'm aware of.

They can say there are. They can say anything, as they do, but it isn't true. So when you go and sit down in their

offices with one of these fine ministers or MPPs, ask them to bring with them some evidence that shows they have to go through some mandatory courses which they have to pass and if they do not they don't stay in their profession. Ask them to bring you that documentation—

**Hon Mr Turnbull:** Every pilot. Every single pilot.

**Mr Marchese:**—because Mr Turnbull won't be able to bring you anything. There is nothing I am aware of.

Look, doctors are one of the most important professions we've got. Our lives are in their hands. But I don't know that that profession is required regularly, every two or three years, to have an appraisal by somebody else to stay on as doctors. I'm not aware of that profession having to take 14 courses—seven mandatory, seven elective—in order to, at the end of it, go through some kind of measure that is presumably looked over by someone, after which you pass and stay on or you don't stay on as a doctor. I'm not aware of that. But that's an important profession. Our lives, good citizens and taxpayers, are in their hands, and these guys—and women—they don't have to take these courses.

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**Hon Mr Turnbull:** Tell me about airline pilots.

**Mr Marchese:** Mr Turnbull, I love to engage you; that is true. But I'm saying to the citizens in your riding, when they meet with you—on Fridays, I presume—I want you to tell them, or I want you, good citizens, to tell him, "Please bring with you the evidence that shows me that doctors and lawyers and engineers and the like have to do the same as teachers."

That's what I'm asking, through you, Speaker, him and the citizens to do, just for my own clarification—and theirs. Because you see, Mr Turnbull and the other ministers don't expect you, good citizens and taxpayers, to go and do on your own this research that would prove or disprove what I'm saying, that would prove or disprove what Mr Turnbull is saying. He doesn't expect you to go to the library. He doesn't expect you, good taxpayer, to go anywhere and inquire, if you can, as to what I'm talking about. He doesn't expect you—hopes that you won't. All he wants you to know is, "Yes, they do have to go through these recertification courses."

**Hon Mr Turnbull:** Are you saying airline pilots aren't recertified?

**Mr Marchese:** Bring me the evidence.

**Hon Mr Baird:** What about real estate agents?

**Mr Marchese:** Real estate agents. Now let me just see, real estate agents, what they would have to go through.

**Hon Mr Turnbull:** What about airline pilots?

**Mr Marchese:** Airline pilots. Well, maybe we should look at that.

I would have loved for you to have brought this before me so I could use that as one example of a profession—because it's an important one; our lives are in their hands too, you're quite right. David, in your view, do they take 14 courses like teachers on a regular basis to recertify?

*Interjections.*

**Mr Marchese:** I don't think he knows, so we can't have this debate. And it's hard to have it through you, Mr Speaker, because it's so complicated.

**The Acting Speaker:** Let me see if I can just help a little bit. Part of the problem is, of course, the member brings this on himself. So to a large degree, the response he's getting he has asked for. But I am going to ask the government benches to please respect the fact that the member from Trinity-Spadina has the floor.

Please continue.

**Mr Marchese:** I respect interventions, I really do. And I like interventions, I really do, because they help me. They engage me.

I'm saying that the profession is under siege. It is under attack on a daily basis. Teachers are leaving and principals are leaving. The principals we have in the system are inexperienced. The bulk of the principals in our system are inexperienced. They don't know who to turn to for help, although there's an association now representing them. I'm sure they're helping out as best they can. But they have declared, just a couple of months ago, that there's a shortage of principals. They're leaving the profession. They're not there. I say to you, good citizens and taxpayers, that principals are the key to an effective school. Principals are the key to good educational outcomes. Without these principals, we don't have good schools.

But what's happening in many of these schools? In one school in the east end—and I don't know whether I should name this principal; I'm not sure he wants it to be known. Peter "told us about the problems the school has been facing all year because it does not have enough caretaking staff." Not enough caretaking staff—not the separate school system, not the public school system. Both have been suffering cutbacks in caretaking, to the extent we've got more mice, I often say, than we have teachers in the schools. It's true.

But this person goes on: "He told us about operating the snow blower on snowy days"—principals operating the snow blowers on snowy days—"cleaning up when the toilets overflow"—messy job. I didn't think principals should be doing that or ought to be doing that, but they are—"about moving furniture—activities that keep him occupied day in and day out." He "explained to us that his role is supposed to be one of leadership for his teachers, leadership in the delivery of the curriculum. He told us that schools need their principal to be engaged in promoting academic excellence, not cleaning toilets."

**Mr Garfield Dunlop (Simcoe North):** Who is this Peter anyway? Is it Peter Kormos?

*Interjections.*

**Mr Marchese:** A number of MPPs are making fun, as if to suggest that that's not possible, it isn't real; it must be Marchese inventing it. This principal in fact is not real, because it isn't possible they could be doing such things, right? Is that right?

**Mr Carl DeFaria (Mississauga East):** That's an honest job.



**Mr Marchese:** I'm not saying that cleaning toilets is a dishonest job; it's a very honest job, and a lot of caretakers do it. There are fewer of them, and the principal is filling in to help out. You see, that's what I'm saying. It's dumb, what is happening in our school system. Principals are our principal teachers and are supposed to be involved in the development of the curriculum, helping to motivate teachers on a day-to-day basis so they can teach our kids. They're cleaning toilets, operating the snow blower to clear snow off the sidewalks. It's nuts, right? Good taxpayers, do you see the image I'm creating here? I'm not manufacturing this; this is real.

**Mr Dunlop:** Just give us the name of the school.

**Mr Marchese:** The principal is from Toronto-Danforth, and it's Peter Griffin who told us this story. It's a real human being.

I think that if a number of members feel that perhaps I invented this, they should go to this principal, Mr Griffin, Toronto-Danforth, and say to him, "Mr Griffin, Mr Marchese was talking about some things. Is it possible they're true? Tell us it isn't so." Please, Mr Dunlop, go to him and say, "It can't be real." If it is, ask him what he thinks about such things going on in our school system.

Principals are leaving. They are in short supply. Many of them are inexperienced because of the move this government has made to remove them from the federations.

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** What is the basis for that?

**Mr Marchese:** Monsieur Beaubien, the basis of it is that you people are forcing them out. You whack them day in and day out. They don't feel good. I wouldn't feel good getting whacked day in and day out. It would hurt me, right? If you're beating me day in and day out, I would feel the weight of that pounding. I don't know any teacher who is feeling great to be teaching under you folks.

**Mr Frank Mazzilli (London-Fanshawe):** I do.

**Mr Marchese:** Frank, if you know one, please bring him here. Name him or her. I'd like to call her or him and find out how these teachers are functioning in the system, because they're not. They are unhappy to be teaching in an environment where they are not consulted and they are constantly attacked. You have made \$2.3 billion in cuts to the system since you came into power. Everyone, from students to parents to teachers, feels not wanted, not liked and not respected. All they want is respect. Just leave them alone for a little while; let them teach.

*Interjection.*

**Mr Marchese:** No, no. Let them teach, is what I say to you.

Your policy of introducing both the Student Protection Act and the Quality in the Classroom Act puts obligations on the public system that it does not put on the private system, and you know it. It's sad.

The Student Protection Act is a good one. The Student Protection Act protects students from sexual abuse. We support that. It redefines "sexual abuse" in a way that is comprehensive in its definition, and it includes not only

physical sexual abuse but also sexual harassment. We think that's a good bill, and we supported that bill. We continue to support it, because when something is right, we as New Democrats feel an obligation to say so, and we do. And teachers believe that is true. But in the private school system that you people funded just a little while ago, those teachers—Garfield, you know—

**Mr Dunlop:** Yes. We gave them a tax credit.

**Mr Marchese:** Yes, the tax credit. That's another one. I'll get to that. But don't go away; I want to chat with you.

**Mr Beaubien:** He'll come back in 15 minutes and he won't have missed a thing.

**Mr Marchese:** You're probably right.

Those teachers in the private school system—now funded, Monsieur Beaubien, by you and by the taxpayer—who are not certified are not subject to that law. You see, you protect them, because they are not subject to that law. So those who teach but are not certified, but are really teachers, don't have to abide by that law.

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I say to you, Monsieur Beaubien, it's dumb to give away public money, taxpayers' money, the people you often refer to, and not obligate the private sector, those teachers who are not certified, to be bound by that law, the Student Protection Act. Similarly, with the Quality in the Classroom Act, where there is supposed to be a teacher performance review, those in the private system who are not certified are not subject to this law. That's wrong and it's dumb.

How can you give away public dollars to a private school system and then say to half of that system, most of whom are not certified teachers, that they're not subject to this law? Frank, you've got to follow through with this logic. It's not right, it's not intelligent, and most people see through that. Most of the people say, "If my public dollars go to that system, I want to make sure that everyone is subject to the law equally," but they're not. Why would you do that? Why in hell's name would you decide to do that in this particular economic time, when you don't have any money, when you are bankrupt? I know the Minister of Finance loves to paint a picture and pretend that the economy is doing well, because he wants to make sure that people don't lose confidence in him, in his government and in the economy. He wants to make sure people keep on spending, I understand that, but in spite of what he wants, the economy is slowing down. We're seeing it.

We're seeing that you could not create a recession-proof economy, that it was foolhardy to pretend you could. It was foolhardy for you to believe that somehow this economy could be eternally good. It's foolhardy to believe in the sovereignty of the individual, that the sovereignty of the individual could solve all problems in society. We have seen that when the bad times come, people come running to government for help, because they know they cannot solve certain problems on their own, that they are not sovereign, that they cannot unto themselves solve economic problems and social prob-

lems that we face as human beings in society. They know that. When September 11 happened in the US, who did they run to, Frank? They didn't run after the corporate sector to save them, and they didn't run to themselves to save themselves. The first entity they went to was government, and in Canada they came to government for protection, for security. They came to government because they know they're not sovereign unto themselves.

You've lost sight of that. You, the non-government government, lost sight of the fact that there are turns in our economy, and it comes back to you someday where people will say, "We need governments. We need you to restore the obligations of government." They do come back, but you've given away the whole shop. You're broke. We are broke as a result of your foolhardy political, ideological actions.

**Hon Mr Baird:** And you wanted to cut taxes more.

**Mr Marchese:** I say to Mr Baird that cutting taxes—

**Mr Tony Martin (Sault Ste Marie):** You raised the debt.

**Mr Marchese:** Hold on, Tony, I'm going to explain.

**Mr Martin:** Yes, explain to them that they raised the debt.

**Mr Marchese:** I will.

There are different policy tools that we can use. The Tories say that the best way to save our economy is by giving income tax cuts. What we have seen is that the income tax cuts have not saved Ontario. If they created this boom, they have to admit that they're creating the downfall, because you can't have both. Both cannot coexist. You cannot have an economy that's great and booming because of tax cuts, and then, at the same time, argue that the economy is slipping because of tax cuts. You can't have both; something is wrong. You cannot claim both things at the same time. I'm saying, if your tax cuts improved the economy, I'm telling you now they are bringing its downfall. You can't have both.

*Interjections.*

**Mr Marchese:** You can't. So I'm saying to you that what you have done is fiscally a failure. You're driving that tired little pony—it's not even a horse—that same pony, the Minister of Finance day in and day out with the same sort of chant, the same drone. My God, it's almost as bad as some other previous ministers that were in this place: same drone every day, day in and day out. Tax cuts are draining your economy, are draining our economy. There's no more money left. You are the same wild ideologues that a couple of years ago gave 200 bucks to every individual, which amounted to one billion bucks; one billion bucks at a time when we don't have it, you give it away. How nutty can you be, giving away \$1 billion?

Taxpayers of Ontario, do you know how much money we need? Do you know how much help we desperately need in an educational system that has suffered some \$2.3 billion in cuts; a university and college system that have suffered together close to \$2 billion in cuts cumulatively in the last six years? Do you know how much help that money could be to people who need home care,

who are not receiving the home care they deserve once they are kicked out of those hospitals, how far \$1 billion could go? And yet this government, through its wisdom, gave away \$1 billion to give to each taxpayer 200 bucks so you could feel good having 200 bucks in your pocket. And where will it take you? Where will 200 bucks take you in a recession, good taxpayers of Ontario? How far will you be able to walk with 200 bucks in a recession? It is so sad what's happening to our province.

John Baird says, "What about the PST that you tax-fighters are talking about?" The PST is, in our argument as New Democrats, a better fiscal policy tool than the income tax cut. The PST helps the 80% to 90% of the population who are modest-income earners. Every time you go buy something and you get whacked by 7% GST and another whack by an 8% PST—the combination which is 15%—every time you buy something, it really hurts. So if you're earning, taxpayer, \$40,000 a year and you get a break in your PST, man, would you feel good. You would feel it. But I ask you, taxpayer who has earned \$40,000 a year, how much have you received in the last couple of years since these folks have come into power? How much help have they given you in order to have the earning power that you need?

Now you've got user fees galore as a result of the income tax cuts. Imagine, in a good economy, you're paying high user fees on everything that you need unlike ever before; in a good economy, you're paying that. Tuition fees have doubled since these people have come into power. So the couple of hundred bucks you were making as a \$40,000 income earner, versus the couple of thousand your son or daughter has to pay every year in tuition fees, does that amount to an equivalency? It doesn't. These people have robbed you blind, taxpayers.

**Mr Martin:** And they've run up the debt.

**Mr Marchese:** And the debt has skyrocketed too. The debt has gone up since you guys came into power, yes. A lot of people don't know that, but it has.

So I say to those of you who are watching: teachers need respect from governments. You need to be treated as the real heroes that you are, and you're not getting that from this government. You need to ask some tough questions about the other two political parties—which are us and the Liberal Party—in the next little while, no doubt about it. And you will be able to see in a short, little while the differences between us all. You have seen already the kinds of love this government has given you, this tough love, and I think after six years you've had enough. Even the 28% of those teachers that voted for this government, in the second turn that these people have had, 1999, even those 28% are having second thoughts. I know that.

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**Mr Dunlop:** How do you know?

**Mr Marchese:** I know. I talk to them on a regular basis. As the critic for education, we meet a lot of these people, and many are unhappy. And soon you'll be able to see the difference between what we stand for and what Liberals stand for. You need to ask the tough questions.



We will be debating and comparing our various policies. We will do that.

But our educational system at the moment could live with just three simple things in order to improve our system, and it won't cost much. You need good principals who are good curriculum leaders. They're not able to be good curriculum leaders because they're not permitted to do their job as the principal curriculum teachers that they are. They're not doing that in this government because they're doing the dirty work of many of the caretakers—the dirty work; I say “dirty” in the sense that principals have different responsibilities than caretakers. They're doing a different type of work than they ought to be doing.

If you've got a good principal in that school who is able to then do the following: motivate teachers to the extent that they're happy to be in that school—and three, make sure you find a system to get parents involved. By the way, it's not good enough just to say parents ought to be involved. It isn't good enough. And it's not good enough for this government to say, “Oh, we are getting them involved in decision-making.” That's not what it's about.

Parental involvement doesn't mean that parents want to run schools. They don't want to do that. They've got full-time jobs, and they don't want to be in the business of being politicians. They want to be involved. They want to stay connected to the educational system. So what I mean by parental involvement is the following: professional parents, people of professional backgrounds, by and large—I don't mean this across the board, but by and large parents from professional backgrounds sit down with their children on a regular basis and involve themselves with their children and their studies and communicate to them the value of education.

Now, there are a whole lot of other people who are not necessarily in the professions who do that as well. Don't misunderstand me. There are a whole lot of people in society, in all sectors, who do that. But by and large, in a class-based society, the well-to-do, the professional classes spend a whole lot of time in the education of their children. And the result of that involvement shows incredibly. The academic achievement goes up.

What do we need to do as the third leg of that proposal that I put to you? We have to reach out to those parents who are not involved in the educational system, who do not go to the parent-teacher nights, who do not sit with their children on a regular basis to review their work, and to help out, if need be, but even to discuss issues with them as it relates to the things they do day to day; elementary, secondary and then the university system.

Those parents who show the extra effort have an incredible effect on the educational outcome of their children. So I say the third leg of that stool is making sure that we do some outreach. That needs money to pay people who are actually school community relations workers so that they actually go out into those communities and bring the parents into the school system. It goes beyond saying that we governments value parental

involvement. It doesn't happen on its own. You need to work to get them into the school system.

So, three things, simple: a principal who understands how students learn, a principal who loves to be there and do the job that needs to be done, a principal who knows how to inspire and motivate teachers. If you've got that quality in a principal, you're able to have happy teachers who love to come to work every day, unlike what we have now.

Teachers don't like to go to work any more. I generalize, and I could be wrong, but many don't like going to work as much as they used to in the past, John Baird. It's true. And unless teachers go to school with a love to be there, John, those kids are not going to learn. They're not going to learn. They will learn only when a teacher is happy and motivated and has the interest of the students at heart and is able to do that because there is a government and a society that says to those teachers, “We value your work.” If you don't have a government that says we value what you do, that immediately passes on to that profession and the whole system, and it infects it ever so badly. The effect of it is pervasive. People feel it across the board.

We have a system in the Toronto Board of Education that has suffered \$400 million in cuts since this government came into power—400 million bucks. In the following year, they are to suffer another \$126 million in cuts. My colleague Michael Prue from Beaches-East York today asked the Minister of Education a question about swimming pools, that boards cannot afford to keep them open. So the minister—and others, including John Baird—said, “I don't have a swimming pool in my area,” as if to suggest that because he doesn't have one, nobody else should.

But the argument is a false one. The argument I want to make to you, good citizens, is that the Toronto Board of Education, in its foresight, was able to understand that that kind of recreational activity is good for young men and women. It is an important recreational facility to keep people actively involved. If they have something to do, better it be involvement in that kind of activity than in some other activity that is of either a perverse or perfidious nature, or just an ugly nature. Better to swim than be doing something else that could put somebody in prison. They understood that. It's part of a social understanding of what human beings need. So I say to the Minister of Education and others, what do you want the Toronto Board of Education to do: fill the swimming pools with cement and/or sand and maybe they could be used as playgrounds for children? Is that what you're asking them to do? Or should you be restoring the ability that the Toronto Board of Education and others had to raise their own money so they can make decisions as they relate to that city and to that board?

When you centralized education financing, you took the power away from the Toronto board and other boards across the province—Ottawa, Hamilton and every other city imaginable that had at least a big enough base to be able to make different kinds of decisions. They did so,

and so they had the financial wherewithal to be able to put swimming pools in those schools because it was a good thing. Ever since you centralized education funding and you took that power away, boards of education are no longer able to raise money to keep those pools open. That's the problem. I say to the Minister of Education, I know you don't fund swimming pools. You didn't fund them when the Toronto board had them, but they had the power and the tools to do so on their own. Given that you took away that tool to do so, give them back the tools so they can keep their swimming pools open. That's what they're asking you to do.

The Toronto Board of Education, unlike any other board in the province, has used educational assistants very effectively. In the early years, educational assistants are incredibly important to help the teacher do his or her job. It's not just a matter of tying shoes or putting on coats in the winter or helping with whatever a little child needs. They have to learn; they have to be taught. A teacher cannot do all those things at once. The value of having an educational assistant isn't a value that pertains solely to the Toronto board; it's a value that crosses all boards of education. But the Toronto board, in its wisdom and at the time, had the financial resources to be able to say, "We value and we need educational assistants." Well, they're firing them by the thousands now because they don't have the money, because your funding formula is inadequate to fund all these educational needs. Your funding tools are not based on human needs, and across the board they're crying for help. Across the province they're crying for help.

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Here's a chairperson of the board, R.L. Willsher from Kawartha Pine Ridge District School Board, and here is a motion that was passed just a while ago:

"That the board write to the Honourable Janet Ecker, Minister of Education, outlining the impact of reductions as a result of the Kawartha Pine Ridge District School Board 2001-02 budget approval, with copies to MPPs and Liberal and NDP education critics."

It says, "The following reductions in program and services were required to deliver the approved budget," and he gives a figure here. "The budget dealt with a projected accumulated deficit" of \$6 million "as follows." They had to make reductions of \$6 million in total, and here's where they had to make reductions. Listen to this, Carl.

"Reduction in elementary library services, 2.6 FTE"—that's full-time equivalents, almost three staff people—"and reallocating of the equivalent of 10 FTE from library programs; reduction of elementary and secondary special education resource teachers" by 22 full-time equivalents. These are special education resource teachers. "Reduction of special education classroom teachers, 4.13 FTE; reduction of teachers in alternative education and over-21 programs," four full-time equivalents; "reduction of school administrators," two full-time equivalents; "reduction of program and information technology program consultants," 11 full-time equivalents; "reduction of paraprofessional staff in program services,

7.6 FTE; reduction of \$845,000 in program support for schools; reduction of educational assistants, 23 FTE; all acquisition of new computers for classrooms suspended; management and support staff reduced," by six full-time equivalents; "suspension in required technology investments of \$800,000; reduction of secondary capital equipment budget of \$359,000; reduction in board administration of \$264,000; reduction in plant expenditures of \$750,000."

It's a long list. It's tiring just to read it.

I read this for the record as a way of showing to you that this board is not alone. What this board and other boards are looking for is help from our provincial government. They're looking for help to finance their needs. If only there were a government in power at this time that could deliver on their needs instead of delivering on political promises that cause nothing but the ruin of our educational system.

You have introduced changes that are perverse in nature, that make teachers victims and at the same time make them the target of everybody's hostility. Instead of helping to provide the support they need because they teach our children, you have politicized the profession in ways we have never, ever seen before. You fired trustees literally by making sure they don't get more than \$5,000 in honorarium because you didn't want trustees to be political, yet you have been the most political government in our educational system that I have ever seen and you've politicized education in a way that you should not have, in a way that has caused disrepute to the profession and in a way that will take a great deal of effort by a new government to restore some faith, to restore some educational value we used to have, and to restore confidence in our teachers so desperately needed at this time.

Another teacher has written to me, and I want to put it on the record. A Mr Frank Bitonti, who is a regular watcher of this program, has a few messages for the minister. I want to read it for the record.

"I am writing this letter to you as a concerned teacher as well as a taxpayer regarding the teacher recertification process as legislated by Bill 80.... This letter is to notify you that should I be randomly selected for recertification, I would ask my union to protect me and challenge the new regulations that I believe infringe on two of my primary constitutional rights, the right to liberty of person and the right to equality as guaranteed by sections 7 and 15 respectively of the Canadian Charter of Rights and Freedoms...."

"A constitutional challenge ... would expose the shallow political motives that underlie the passage of the new regulations in the College of Teachers Act, regulations that will do little if anything to improve the quality of teaching in Ontario, but are simply designed to allay the fears of the public that the government is abandoning public education...."

"We as public educators will argue that as a group we are being unfairly targeted as a profession by requiring that we be recertified, a process that other professionals such as lawyers, doctors, or nurses do not have to go



through. Furthermore, teachers will have imposed upon them the monetary burden and obligation of paying for our recertification, a burden and obligation that is not imposed on other professionals and/or skilled workers in this province."

He goes on to say much more. I've got to tell you that he speaks for many teachers in their disenchantment with this government. He speaks for many teachers when he feels especially targeted. When no other profession is targeted like teachers, they wonder why that is happening. That is why he and I argue that there is a political kind of motivation behind everything this government is doing. They're hoping that by polarizing the public, by sticking to those strong politics of going after people—like welfare, like teachers—they hopefully will get the 35%, 37% or 38% of popular support to carry them through for another term. I don't think they're going to get it. I think the public is upset and angry enough that they will not stand for it.

This recertification process helps nothing but to expand the College of Teachers—no disrespect to the College of Teachers. The college itself estimates that the recertification will necessitate creating an additional 110 staff positions and initial implementation costs of \$2.2 million annually. Whom does that help? Does that help the poor teachers who are beleaguered and need the support or does it help to fatten the College of Teachers a little more with people we don't really need because of the policies of this government? What we need is a public that is outraged enough to tell this government that enough is enough, that you're sick and tired of them and that you need to meet with them and talk to them on a regular basis to convince them they're on the wrong track, that this government has taken them there and the new leader, whoever that may be, will take them further on the wrong track if they continue with these politics in this direction.

**The Acting Speaker:** It is now time for questions and comments.

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**Mr Beaubien:** It's a pleasure to respond to the member for Trinity-Spadina, especially when he talks about tax cuts being no good. Yet during question period this afternoon, the leader of his party was talking about sales tax reduction in order to spur the economy. So on the one hand in the afternoon they talk about tax cuts and at night they talk about the tax cuts being no good.

He also talked about swimming pools in schools and that the school boards don't have the financial wherewithal to maintain them. I see that the member from Sarnia-Lambton is in the audience tonight and I know that the Lambton Kent District School Board, for instance, this year is finding money to spend on two tracks, \$500,000 per track. That's \$1 million.

You may say there are no school books in the classroom, and you may have a point with some school boards. However, school boards do make decisions. They're funded in a certain manner. Prior to having the funding formula they have today, they were funded in a

different manner. But they were still spending the money. They were micromanaging the system, just like today. So consequently boards are going to make decisions that you and I may not agree with. However, as provincial representatives, even though we may criticize them, I think we do have a responsibility to respect their decision. As I said, maybe it's not the right decision for you or for me or other members, but they do have that decision.

Talking about the Sarnia-Lambton situation, I'm sure the member for Sarnia-Lambton remembers quite well a few years ago, and quite rightly so, that she embarked on a situation with the separate school board at the time whereby there was a misappropriation of funds. I think the people in the community appreciated the fact that somebody took interest and pointed that fact out.

**Mr Rick Bartolucci (Sudbury):** I want to commend the member for Trinity-Spadina for a very excellent presentation. Certainly in his leadoff he's covered many very important facts that I believe members on the other side should take very seriously.

He spoke as a former trustee with seven years of experience. I speak as a former teacher with over 30 years of experience when I tell you that from Premiers Robarts to Rae I saw happy teachers. With the Harris government I've only seen unhappy teachers. That's for a variety of reasons. Certainly teachers haven't had the resources in the classroom to do the job that they want to do. Certainly they haven't been engaged teacher to student the way they've wanted to be because of the pressures this government has put on them.

I would suggest to you that when we look at Bill 110, entitled *Quality in the Classroom*, we had indeed quality in the classroom before this government took office. What we have in the classroom now is dedication, determination and diligence to provide an education for the students of this province in spite of what the government is trying to do with our public education system. So when the member for Trinity-Spadina says that you've shortchanged the teachers of this province, he is right. When the member for Trinity-Spadina says you have shortchanged the students of this province, he is right. When the member for Trinity-Spadina says you have shortchanged the public education system in the province of Ontario, he is right. Instead of heckling on that side, you would do well to listen to what he has to say and what we have to say on this side.

**The Acting Speaker:** Member for Sault Ste Marie.

**Mr Martin:** Thank you very much, Speaker, and congratulations on your new position. So far you're doing well.

I want to say, though, that the member for Trinity-Spadina is also doing well here this evening and made an excellent argument for treating teachers and principals with respect and investing in public education in a way that allows the education system to live up to the mandate and the challenge that we all know it has and wants to achieve: to give students the best possible opportunity to do well and get on with their lives and participate in society.

As government—and the member for Trinity-Spadina makes this argument as well—we have choices. Those choices reflect the priority we put on things that we feel strongly about. This government has consistently, as the member for Trinity-Spadina has stated this evening, chosen to target and demonize and set apart certain groups of people. He mentioned the poor, and they've certainly done that in some major and significant and harmful ways. But teachers in the education system, a group of people that we should be ever looking for ways to support and encourage, we've set up as somehow demonic, with ulterior motives, not really interested in the well-being of their students but more interested in their own well-being.

I say to this government that you will be remembered and judged by the choices that you make. If you choose to give tax breaks to your wealthy friends and corporate benefactors, that's fine. You'll wear that. We on this side say that those monies should go into education as well as many other things.

**The Acting Speaker:** I recognize the member for Simcoe North.

**Mr Dunlop:** Thank you very much, Mr Speaker, and congratulations on your position.

I'd like to make a few comments on the member for Trinity-Spadina, who always is so colourful in his comments. Yet sometimes I have trouble following some of your reasoning as you go through 53 minutes of discussion.

First of all, I'd like to just bring up a couple of comments on Kawartha Pine Ridge. You read some kind of a motion over there—I'm not exactly sure what it was. I had the opportunity to visit one of the schools in Kawartha Pine Ridge today, the Norwood high school: a beautiful high school, great teachers, beautiful grounds. No one at that school mentioned anything about all these problems that you pointed out today. What they did tell me, or what I was aware of, is that the funding this year for 2001-02 is part of the \$360 million that we added on to funding, a 2.5% increase. That's with an enrolment increase of about 0.3%.

Why I was at that school, and it's an opportunity to say a few words on this because it ties into some other legislation, is that today the central region of the Ontario Provincial Police launched in that small rural high school—I think it's about 500 students—the “safety first” program. It deals with officers from the Ontario Provincial Police going into high schools, basically grades 8, 9 and 10, and training the students on people who abuse the Internet. I found it was a very valuable course. It was just launched and I was so pleased today to see that the OPP had launched it in a small rural town. I'll have other comments later on this evening, but I wanted to get that point out.

**The Acting Speaker:** The member for Trinity-Spadina has up to two minutes to respond.

**Mr Marchese:** I appreciate the comments made by friends and foes.

**Mr Dunlop:** Oh, come on. We're your friends.

**Mr Marchese:** Well, the member from Sudbury was very kind and I want to—

*Interjection.*

**Mr Marchese:** You were very unkind to me, and I want to say that the recertification of teachers is a political move. It is intended to polarize communities, to get communities fighting against each other; in this case, general communities against teachers. I find that reprehensible, incomprehensible, and it is absolutely unproductive.

The performance reviews, which is what this Quality in the Classroom Act is all about, is something the system has been doing for years and years. They didn't need you to do that; they've been doing it. There's always room for suggestions in terms of how a system could improve that, but the reason why you're bringing in performance appraisals has to do with the politicization of education in a way that is harmful to our system. Tying performance reviews to the recertification of teachers, which also says that teachers have to, by obligation of the government, take 14 courses—seven mandatory, seven elective—is profoundly disrespectful of that profession, because you do not expect the same of the other professions, and in that regard it's wrong.

We have dirtier schools than ever before. We have principals cleaning toilets. We have bussing cuts across the province. We have a textbook shortage. We have staffing cuts, teacher cuts. All they want is some respect and some respectful funding that is based on need and not the funding formula, which is based on square footage. That's what people are looking for, and I hope that's what you will get from the next government.

**The Acting Speaker:** The floor is now open for further debate. The Chair recognizes the member for Oak Ridges.

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**Mr Frank Klees (Oak Ridges):** Thank you, Speaker. I too would add my congratulations to your appointment. I know that you will carry out those responsibilities with very high standards.

In my last opportunity to speak in the House, I referred to the decorum in this place and suggested that, of course, there's a responsibility on all members to conduct themselves appropriately. I have had numerous complaints, actually, particularly over the last month or so, from members within our community who are not impressed with how we carry on here.

I would reiterate what I said in my last comments here that, quite frankly, a great deal of responsibility for that rests with you, Speaker, because we have asked you as the Speaker to look after the decorum here, the procedures of the House. I, for one, would like to see you exercise that in a very strenuous way, so that when we have debate it is meaningful, we can listen to each other and we can take into consideration recommendations that are being made. I'm one who believes that often the opposition party has some good thoughts and good ideas, but if we can't hear what they're saying, then it's difficult to incorporate them. Likewise, we have some very good



legislation that we have been bringing forward, and if the opposition is spending all of their time with catcalls, they can't hear what we're saying, can't hear the explanation as to what the rationale is for the legislation, and as a result our constituents lose. So welcome to your position, and we know that you will carry it off well.

I'm pleased to speak to Bill 110. The member for Trinity-Spadina indicated that he's speaking to this as a former trustee and brings a lot of information, a lot of very valid points to the debate. The member for Sudbury referred earlier to the fact that he's able to speak to this legislation as a former teacher, and we welcome that too. All of us bring different backgrounds to the position that we hold here.

I speak today as the member for Oak Ridges. I also speak as a parent who has had children in the education system in this province. I speak as a former employer who experienced the education system in different ways—graduates coming in applying for jobs. I recall the election campaign in 1995. There were very few doors that I knocked on and very few discussions that I engaged in where the subject of education didn't come up, and this was not just with parents. It included many teachers who welcomed changes to the education system, who agreed that the education system was not what it should be, that there's lots of room for improvement. As a former employer I was frustrated on so many occasions about young people who were graduating either from high school or college or even university: as I viewed their resumé, there were grammatical errors and there were spelling errors. There was evidence that this individual had missed something along the line in terms of getting a quality education.

We committed to the people of this province at that time that we would bring reform to the education system, and so we have taken a number of steps over the last number of years to do that. It has become politicized, and I will be the first one to say that that is probably one of the most negative things that has happened in the last six years. Regardless of how good our policies are as a government relating to education, if we don't have the people onside who are on the front line delivering education and who see this as positive and in the best interests of students, we will never accomplish what the objective of that policy is.

I would look to members opposite, who can be very helpful in this. The member for Trinity-Spadina spoke about polarization in our communities. Let's take a look at how we're all dealing with this issue. Rather than often taking the good that is there and suggesting, "Yes, this would be in the best interests of the students and the system," the first thing that is done is that we point out how bad this is; and that is, for some reason the fact that, as in Bill 110, the government is coming forward and saying we believe it will be in the best interests of improving the quality of education. You may have a suggestion as to how this could be done better, but rather than doing that—and I listened very carefully to the member for Trinity-Spadina, and I did not hear one

suggestion as to how we might help to improve the quality of education and the quality of teaching that takes place in the classroom. If you don't like how this process is going to work, let's hear some positive suggestions.

It gives me a great deal of pleasure to speak to the second reading of Bill 110, the Quality in the Classroom Act, 2001. Let's be clear that this is all about bringing improved quality to the classroom. The very purpose of our education system is to help our young people across this province get the best possible education available, to provide the tools and resources for students' success. There is no better way, in our opinion, to help students achieve a successful education and there's no better tool than to provide them with the best possible teachers. I don't know of any other way this could be achieved than to allow teachers to be assessed, to give them the opportunity to get a sense of how well they know the material that has to be covered and how well they can deliver that material, than to have the benefit of a structured program that is consistent across the province, that allows an assessment of their individual performances and then, very importantly, to have the appropriate remedial support available to these teachers so they can in fact improve how they do their job.

What is wrong with that or what is polarizing about that I'll never understand. If we're willing to step back and stop being political about this piece of legislation, which I believe is very positive, then perhaps we can get on with helping, as the member from Trinity-Spadina said earlier, and to making our education system the best it can possibly be.

Passage of this teacher test would be a requirement for becoming a member of the Ontario College of Teachers and receiving a certificate of qualification from the college. I don't know what's wrong with that. Actually, I understand why the opposition is probably opposed to this, because we had moved away in this province from even testing our young people as they were going through the education system, something I could never understand as a parent, frankly. How can we understand whether our students are performing, are learning, are qualifying in any area of discipline, unless there is some way to measure their ability to understand and to assimilate the information?

So we introduced testing for students. We believe that is very positive, and it's already proving that it is because for once, and for the first time in many years, what we're able to do is measure and understand those students who are not keeping up with the curriculum, who are not keeping up with the information that's needed to attain a certain level of knowledge that their peers, by the way, in other provinces or cities or countries around the world achieve. This is not for the purpose of punishing these young people; it's for the purpose of allowing them to get the remedial support they need to qualify for that level of education, which is measured now around the world.

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The same is true for teachers. The qualifying test would assess the readiness of teachers to start their

professional lives and ensure that they have a minimum level of knowledge and skills to begin teaching in our schools. I have to tell you—and I'm sure this is the case for your constituents as well—that every constituent I speak to believes this is a good idea, and they want to make sure we have the best teachers in our classrooms.

Development of the tests that I'm referring to is being sponsored by consultations with a broad range of educational stakeholders, including parents, students, principals, vice-principals, trustees, the deans of faculties of education and the Ontario College of Teachers.

It's important to note that Ontario is not the only jurisdiction to be moving in this direction. Spelling out entrance requirements to professionals is not something that was dreamed up in our caucus or cabinet meetings. It's something that, quite frankly, is being done in other jurisdictions. The United Kingdom, for example, recently introduced a test for new applicants to the teaching profession. In addition, France, Belgium and Switzerland use civil service exams as an entrance requirement to this profession.

The proposed qualifying test in Bill 110 would have questions based on areas of knowledge and skills from the Standards of Practice for the Teaching Profession, and that was established by the Ontario College of Teachers. So we've engaged the college in this process. From what I'm hearing, there is actually a great deal of support from the profession for this step. There are some concerns about implementation, but I think a lot of the objection is on the fringes. I believe that many teachers, in fact the majority of teachers across the province, support something that is going to increase the credibility and the quality of their profession and allow them to be the best they can possibly be.

Candidate teachers who meet all the requirements for certification, including passing the qualifying test, will be placed on the college's roster. That is a list of members, their qualifications and their status with the college, which allows individuals and boards that are in the process of recruitment to know precisely what the qualifications, backgrounds and supports are.

In a rapidly changing and increasingly competitive world, the need for quality assurance among all professionals, and especially teachers, is imperative. I think the member for St Catharines will agree with me. In fact, I've heard him say on a number of occasions that it's important that the quality of education in Ontario be increased and maintained. I've heard him say on a number of occasions that teaching is one of the highest callings in this province, and I agree with him.

If we are to believe that, then what we should be doing is implementing policies and regulations in this province that support that belief. If I believe that teaching is one of the highest callings, then as a lawmaker and a legislator, I want to give every opportunity to teachers in this province to become the best in the world. How can we know that they are unless we measure that? How can we know that they are unless there is a mandatory program of constant upgrading to ensure that the latest infor-

mation is available to everyone across the province, not on a voluntary basis, but on a requirement basis?

There are members in this House—I recall one member who shall remain nameless who, quite frankly, didn't spend a whole lot of time in this place for the term of his election. He's not here today, and the reason that he's not here today, I would suggest, and I'm sure that members opposite will agree, is because while he was here, he wasn't demonstrating a real commitment to the job. So as there are members here who on occasion don't necessarily take every effort and apply the kind of energy that they should to become and be the best they can be here, I'm sure it's true as well in the teaching profession. We're saying we're not going to leave it up just to the individual teacher to make a decision about whether they upgrade or whether they take additional courses; we're going to set a program in place that makes that mandatory.

The creation of province-wide standards would clearly be a major factor in ensuring that our teacher appraisal system is fair to all members of the profession. Today, we have some boards that have certain appraisal processes, but it's not standardized across the province. We believe it will be in everyone's best interests to in fact standardize this process. New teachers would be evaluated twice a year during their first two years in the classroom. An experienced teacher would be required to have an evaluation year every three years, with at least two evaluations of their classroom performance that year.

There used to be a time—I know when I went to school, every once in a while a superintendent would come in and he'd sit at the back of the class—or she—and observe the actual practical teaching that was going on. At that time, I didn't hear accusations. Maybe it was, at that time as well, that somehow the requirement of having a superintendent in the back of the room was polarizing the community, was denigrating the profession. We know that wasn't the case. It was for the purpose of helping that teacher become better at what they do. That's the purpose behind Bill 110.

Bill 110 would also allow for parent and student input as an integral part of the appraisal process. Parental and pupil comments, of course, wouldn't be the only basis on which to influence the outcome of that report, but I can say to you—we believe it's very important, and I'm sure, Speaker, you'd agree as well—often the person who knows best about the quality of education in the classroom is the parent who is listening to the child, the student, coming back and telling about what's going on in that classroom. So we're suggesting there should be input into that appraisal process by the parents and the students.

Bill 110, we believe, is win-win legislation. With the passage of the Quality in the Classroom Act, 2001, parents will know their children are being taught by the most professional teachers in Canada; taxpayers will know that they're receiving value for their education dollars; and all Ontarians will know that we're moving closer to an education system that is firmly focused on



quality. The issues of funding that have been discussed today are one thing, and we can probably never put enough money into the education system. So we have to live within our means. What we do have direct control over is the quality of the people who teach in that system. Bill 110 will allow us to achieve that. I will find it confusing if I see members of the opposition voting against this legislation because, as I said earlier, at the end of the day what is important is the quality of teaching that takes place in our classrooms. Let's leave a lot of the political wrangling aside and do what's best in the interests of our students.

**The Acting Speaker:** There's now an opportunity for members to respond with questions or comments for up to two minutes.

**Mr Ernie Parsons (Prince Edward-Hastings):** I agree that ensuring that we have quality teaching in our classrooms is an extremely complex issue. It has been said by people far more knowledgeable than myself that for every very complex issue, there is a very simple but wrong solution. I guess I should love this government, as an engineer: they have managed to take and make everything a formula; everything is a number; everything can be solved with a yes or no. There are no grey areas, there is no humanity. You're a good teacher—yes; you're a bad teacher—no. I can't accept that.

*Interjection.*

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**Mr Parsons:** I think we have some sense of where the problem comes from now.

If we're going to measure performance, we need to do it to more than just teachers. If we look at other areas, say an elected official—if a teacher were interested in input from parents and students and if they don't approve, then obviously that's a bad teacher—then for an elected official, if the public said in a poll that their support is only 32%, should they leave?

*Interjection.*

**Mr Parsons:** Well, no, just a minute. I'm sorry, that is how it works. Poor analogy.

But for the matter of quality teachers, they're not measured in numbers. Each of us can think back to our experience in elementary, secondary and post-secondary, and the teacher we remember is not necessarily the one who was the best at calculus or remembered every history date. The teacher we remember was the one who inspired us, who turned us on to a love of teaching, who turned us on to education, who motivated us to continue and to want to learn.

I defy a test to be developed that can measure the passion for teaching that we need and want in our classrooms.

**The Acting Speaker:** The Chair recognizes the member for Trinity-Spadina.

**Mr Marchese:** The member from Oak Ridges says he could remember a time when there used to be superintendents sitting in the back of the room evaluating teachers, and that the teachers didn't like it. We used to have principals actually do evaluations. But we no longer

have superintendents, if in his time there were superintendents doing that kind of evaluation, because they've all been fired. That's the so-called fat in the system that these people want to get rid of. There are no more superintendents any more because that's part of the fat these people wanted to cut away. So even if you wanted superintendents to do that kind of evaluation, they're not there any more.

What troubles me is that they cause the crisis and then they say, "Stop the wrangling. Let's get on with the job. We're just trying to help those poor teachers who are looking for help. Please, opposition New Democrats, don't cause this division. We're all trying to get along. We're trying to provide a few courses for these teachers to help them along."

Sixty-five to 68% to 70% of elementary teachers were doing professional development on their own without you coercing them to do so just a while ago. Almost 70% of elementary teachers were doing it on their own without you telling them, "You've got to do it." And then they say, "Oh, but we're just trying to help the teachers because the kids need help."

The problem is that you cut the system by \$2.3 billion. There used to be professional development days, and you cut those days from nine or 11 to about two or three, leading to a system that needs to be privatized. That's why you're supporting private schools now and leading to a system where you have to politicize it by saying, "Teachers need to be tested." What teachers need is some support from you, Frank from Oak Ridges. They need support, not to be attacked. They need to be respected because they are heroes in our educational system. That's what you've got to do—help them—and these bills don't do it.

**The Acting Speaker:** The Chair recognizes the member for Simcoe North.

**Mr Dunlop:** I'd like to thank the member from Oak Ridges for his comments on Bill 110, the Quality in the Classroom Act, 2001. As we've said many times through this debate, this is part of our Blueprint commitment in the year 1999 and it's all part of the Ontario teacher testing program that we hope will see passage in this House.

It is important to know that the teaching profession has the most up-to-date skills and knowledge. That is why we are continuing to move forward with the Ontario teacher testing program. The government is introducing legislation that, if passed, will set clear, province-wide standards for measuring teachers' classroom performance.

I think that gets back a little to what Mr Klees said when he talked about superintendents in the schools. We used to have that in the small school that I went to in my small community. I thought at one time that the superintendent came in to check the students, but I realized later that it was always the teacher he was looking forward to.

I think it's fair to say that we all know of many, many good teachers we've come across and whom we've had

in our days in the school system, but I think we've also noticed the teachers who haven't performed as well. So we're hoping that this is one step to improving quality in the classroom. We think it's a positive step. I look forward to passage of this bill, and I look forward to seeing the opposition support this bill as well.

**The Acting Speaker:** Thank you. The Chair recognizes my colleague from Hamilton.

**Mr Dominic Agostino (Hamilton East):** Thank you, Mr Speaker. I think you look great up there in the chair, so congratulations.

To the bill at hand: when you listen to the government members, you get this feeling that they're being all warm and fuzzy toward the teachers. This is part of this new love-in that they're trying to develop. They want peace on the teacher front; they want peace on the labour front. After six or six and a half years of destruction, now the warm and fuzzy Tories are reaching out to teachers, if you listen to these guys across the floor.

The reality is that this is not about better-quality education, this is not about improving teachers, this is not about improving classroom textbooks or more textbooks or more computers or smaller classrooms; it's another hot-button issue that this government continues to use when it comes to public education. They've attacked teachers from day one, they've demonized teachers, they have turned a very honourable and respectable profession into one where individuals no longer want to go into the profession, where individuals are leaving the profession in droves, because you have spent six and a half years attacking teachers.

You remember how silly, ridiculous, stupid—and then we had ads, when you had the little clock for 20 minutes saying to Ontarians that teachers are lazy, that they don't want to work 20 more minutes a day in the classroom. Do you remember that stunt, Speaker? That's what teachers remember.

Teachers don't need your silly little test to tell them they're qualified. We already have a process in place, we have methods in place for evaluating teachers, and most teachers, 99% of teachers in this province, do a very good job. I've been there. There are teachers who have been in the profession 20, 25 years. Now you come along and say, "I'm sorry. You need to be tested now because we don't think you're good enough any more after 20 or 25 years in the profession."

This is nothing more than another attack on teachers. It's an insult to teachers across Ontario. It's an insult to the profession. And the nice thing about all this is that maybe by the time—if the grade 10 test is an indication—they get around to doing it, this government will be out of office and teachers won't have to worry about it.

**The Acting Speaker:** The member from Oak Ridges has up to two minutes to respond.

**Mr Klees:** I'm pleased to respond. I want to thank the members for Prince Edward-Hastings, Trinity-Spadina, Simcoe North and Hamilton East for engaging in this debate.

I want first of all to suggest to the member from Prince Edward-Hastings that while he as an engineer may appreciate the systematic way in which we have been restructuring government and legislation, I take exception to his suggestion that it is being done without morality. He and his party do not have the high road, they do not have a lock on morality in this province, although they suggest that they do.

The motive behind our legislation, and the motive behind this legislation specifically, contrary to what the member from Hamilton East suggested, is in the best interests of the teaching profession, of our students, and it will prove in the long term, we believe, to help our young people become everything they dream of becoming.

**Mr Marchese:** Tell them you love them, Frank.

**Mr Klees:** To the member for Trinity-Spadina, who is barking out here: he himself suggested, and in his response to me said, that up until now, 65% of teachers in the province have been taking it upon themselves voluntarily to upgrade themselves, and that is precisely to the point. Those 65% will see no change. They will continue to do business as usual. It's the 35% who haven't who will be required to become better teachers in this province. It's what it's all about. It's why he and his colleagues should be supporting Bill 110. It's the 35%, my friend, who don't do it who will be asked to do it in the interests of students.

**The Acting Speaker:** The floor is now open for further debate.

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**Mr Bradley:** Thank you, Speaker Christopherson, as we would call you now. I want to congratulate you on your ascension to the chair. I think a wise choice has been made. I certainly think a good choice has been made in this specific case and that we will be very happy with the decisions that you render, because we know you will be very fair.

The member over there on the other side who inherited his seat from Al McLean talks about fearmongering. It reminds me of when I asked a question on September 27 in this House to the Solicitor General. I asked a question about anthrax and smallpox and the plague. I think the minister would agree I asked it in a pretty low-key way. Now everyone is talking about anthrax—a lot of difficulty out there. Two individuals from the post office unfortunately died in Washington DC today, and we have a genuine concern. I don't want to call it a fear, but a genuine concern.

**Hon Mr Turnbull:** How many cases in Canada, Jim? What are the chances?

**Mr Bradley:** It's always a dangerous question, I say to the Solicitor General, to ask that, because then if it happens two weeks later, someone will recall that he asked that question. We all hope it doesn't happen. I think we have all tried to ensure that we're prepared without saying that things are in a high state of alert. I think we recognize that.

But I just wanted to make a comment about the member talking about fearmongering, because I do want



to talk about this legislation and I want to say, first of all, that my colleague the member for Oak Ridges I thought made a moderate speech and it fits in with what the Conservative caucus has been told now. Not that he would listen to the orders that come from on high, but the new pitch is, "Let's now come down from the confrontational politics and try to perhaps accommodate more of the people and perhaps get some of those folks back who were turned off as much by our style as by our politics." So it fit in well. Whether that was the reason or not—and I have no reason to believe that—it does fit in with what I think the new policy is, what the gurus are saying on the other side at this time.

I want to say that not everything in this piece of legislation is bad. In fact, what you find when you look at a lot of the legislation brought forward by any one of the parties at any time in this House is that there's much to be said for it. Indeed, I look at, do you want qualified teachers coming into the profession? As they are coming out of teachers' college, having obtained their education and their specific training, do you want those people to be qualified to teach in the classroom? The answer is yes, and there are provisions within this legislation which are eminently supportable. Without a doubt, we want to see that. We know there may be some opposition from time to time to certain of those provisions, but if you ask the question, "Do we want highly qualified, competent individuals in the classrooms of this province working with our students?" I don't know anybody who's going to say that you don't want that to happen.

However, you will forgive us and forgive others in the province if they question the motivation. The reason for that is because of the pounding that has been taking place of members of the teaching profession since—I no longer say the Harris government—the Conservative government of Norm Sterling and friends took power.

It was probably best exemplified by what the member for Hamilton East referred to as those pejorative television ads against teachers—very effective, I might add. So on one level, some of the smart boys in the backroom will say, "Aren't we clever? We had this ad and it makes it look as though we're only asking for teachers to work an additional 20 minutes." It played on the thought out there on the minds of some that teachers teach a very confined period of the day and have no other responsibilities. There are people who believe that even today. It played on that particular viewpoint. They pandered well to those people who are anti-teacher. They could get the anti-teacher jokes out there then. I know who some of them are, some people who work far fewer hours, by the way, than teachers do, large as life with the anti-teacher tirades and jokes. They played to that. Were the ads effective? Obviously they were effective. So on one level, the smart boys in the backroom can always say, "Aren't we clever? Look what we've done."

But as public policy, I think it's important that whenever we implement policies, they are perceived to be and are for the right reason. The Davis administration, which is the last Conservative administration with which I have

had some experience, made some controversial decisions, implemented some measures and changes which were not always to the liking of the members of the teachers' federation or perhaps the teaching profession. However, I never detected in those who were subjected to those changes a feeling that it was to aim at the teachers or to whip up anti-teacher sentiment, but that it was a government that truly believed those measures were good for education—people such as Tom Wells, Bob Welch, even Bette Stephenson, who had very strong views on certain matters, and Bill Davis himself as a former Minister of Education. All, I think, had in mind the best interests of the students and of those who worked in the field of education. So even though there were decisions with which we may have been in disagreement from time to time, never did I have the feeling that they were using those measures, those changes, to simply whip up anti-teacher sentiment and to reap the rewards of that in terms of the ballot box.

In this legislation itself, what the government is doing is simply putting into effect, I suppose, what's already happening across the province. There are people who evaluate teachers on an ongoing basis: principals in the schools come in; sometimes vice-principals, if there are any left in some of the schools, because many of them have been withdrawn for funding reasons. Supervisory officers have gone in to evaluate teachers. They want to ensure that if they are not doing a good job, they have an opportunity to improve themselves, and if they cannot improve themselves, they should be withdrawn from the profession. I don't think, again, there's much of a quarrel with that across the province.

As I said, the test for people coming in probably should be done by the teachers' colleges or by the College of Teachers rather than the Ministry of Education. But I think most people would agree that there should be a test for people who are coming into the province to teach from elsewhere or who are new to the profession, even though we may find that we're increasingly going to have a difficult time getting people to be interested in the teaching profession. That's most unfortunate.

I have described a circumstance to my colleagues in the Legislature which I think is rather revealing. I have seen people whose whole lives are teaching—in other words, they had virtually nothing else in their lives that they were dedicated to; they were almost 100% dedicated to teaching—who I would have thought would teach to the age of 65, because they used to do that. Some members in this House remember that you had people who actually taught to the age of 65. Those people I see retiring today not at the end of the school year, not at the end of a term, not at the end of a month or a week, but the day they can retire, they step out of the profession. That tells you something. I have seen people who are good friends of mine who I thought belonged in the classroom, who are extremely dedicated—and I'll go back to the fact that that was their whole lives—and they withdrew from the profession the day they could. That

tells you about the morale that you find within the school system.

The morale was high, frankly, under the Davis government. I don't know about the Robarts government; I wasn't here then. But under the Davis administration, the Peterson administration, the Rae administration, generally there were some high spirits. People went to school saying, "I'm excited about what I'm doing. I can make a difference with these students, and I want to make a difference." Today there's a feeling, a perception out there, that virtually every move the government makes is aimed at teachers and at whipping up anti-teacher sentiment.

2030

If I look at this bill, I want to tell you, I want to be very frank with members of this Legislature, it is one of the more benign pieces of legislation that this government has brought in, and I venture to say, if you listen to all of the members being very frank in the debate, there is much to be supported in this legislation, but there are things that I think will cause some problems.

One of the areas I see that has potential for being a problem is having the parents and students as part of the evaluation of teachers. Do parents and students have a right to make known to the teachers themselves, to the principals and vice-principals of the school or supervisory officers or perhaps members of a board of education when they're dissatisfied or particularly satisfied with the performance of a teacher? Of course. But if that is going to be what the evaluation is based on, watch what it does to discipline in the schools. Teachers in many cases will simply want to be popular rather than good teachers. So they'll be keeping at bay the wolves out there who have it in for them, for one reason or another, whether it's a political reason—small p, not capital P in this case—or their child did not do particularly well or there was some incident of discipline; they will have it in for that teacher. If those people are allowed to evaluate, you're going to find an erosion in discipline in the schools. I think that's where you've made a mistake. I'll repeat, however, I think they have an opportunity to make that case, but I don't think it is part of the evaluation process without causing a lot of problems.

This, I'm told by the Minister of Education, came from people who advise the government, the Ontario Parent Council. That's hardly a non-partisan group. I see in the gallery from time to time—I think his name is Greg Reid, who is the president you've appointed. Somebody said, "Well, that's the Ontario Parent Council." I said, "No, the Harris government appoints these individuals." He was the candidate who ran against Peter Kormos in Niagara Centre at one time. I think when the riding was called Welland-Thorold he ran against Peter Kormos. I watched him make a presentation to the committee in St Catharines when you were extending aid to private schools, financing to private schools in this province. I saw this presentation made at that time by Greg Reid. He used his whole time, of course, so he

couldn't be questioned, because in front of the news media, I wanted to say, "Mr Reid, weren't you the candidate against Peter Kormos in Welland-Thorold? Aren't you a big-time member of the Conservative Party? Weren't you appointed by an order in council of the cabinet? By the way, here's the president of the Ontario Parent Council there to talk about how good it is to extend financial assistance to private schools in this province through the voucher system that you people have implemented."

That's the head of the Ontario Parent Council, so you know where he comes from. How would you like to, if you were a teacher, have a Greg Reid evaluating you? I don't think you would in that specific case, and I just use him as an example because he's on the committee, he's a Tory candidate and he has had much criticism of the publicly funded system.

I see today and this week some people moving away from the position they had on the funding of private schools, indirectly, of course, with the voucher system. The provincial Treasurer now is saying, "It wasn't me, I didn't do it. The devil made me do it," or the rest of the cabinet or something, because I think they're now seeing the ramifications. The reason I wanted to bring that in is that once again you are funding by providing a tax credit to people who want to put their children in private schools. You're funding that; however, you do not apply the same rules to that system as you do to the publicly funded system. We saw that in a previous bill, where uncertified teachers will not be subject to the rules and regulations as it affected sexual predators or whatever it was called within the school system. They were exempt from that. Now we see in the testing system that they're once again exempt from that. If you're going to make the case that private schools should get public funding, then surely all the rules and regulations that are part of public funding should apply to all of those schools. If they don't want the public funding, then that's different, and they can have different rules. I think that's a source of some considerable concern out there in the province.

I want to say as well that very many times when I've heard people say that they want discipline in the schools, what they've wanted is discipline for everybody else's kid, but not necessarily discipline for their own. That's a problem that the education system has to encounter from time to time.

We've got fewer vice-principals in the schools now. Many schools don't have them at all. Some schools have to share principals. A lot of the administrative work that has to be done, the disciplining, the dealing with parents, the dealing with all of the dictums that come down from the province, has to be done by principals who frankly are overworked at the present time and are often overoccupied with administrivia. That is why you don't see people eagerly wanting to become principals. That's why you saw such a huge exodus from the school system of principals who used to stay on. I remember when I started teaching, the principal who was there, I'm sure, taught and was a principal until the age of 65, and that



was the norm at that time, and the pension plan at that time was still quite a good pension plan for those days, so that wasn't the compelling factor.

But this is the atmosphere that's in the school system at the present time. It's going to take an awful lot to bring tranquility back to that school system. We want to see enthusiastic teachers. We want to see teachers and principals and administrators who come to their jobs every day with energy and enthusiasm and a desire to help those students in the system, because we recognize that there are so many dedicated people in that profession at the present time. To hit them with piece of legislation after piece of legislation that has components which are aimed at them or unfair to them certainly does not speak well for or encourage the morale that we would like to see in that system.

The member for Oak Ridges had a moderate-sounding speech today, particularly for an individual who was going to run for the Alliance party, which isn't always as moderate as some of his colleagues might like it to be, such as the member for Markham, for instance, who wants a more moderate form of conservatism in this province and in this country.

**Hon Mr Baird:** Like me.

**Mr Bradley:** Not like the Minister of Community of Social Services, who was a YPC, who is right of Charlemagne or—

**Interjection:** Attila the Hun.

**Mr Bradley:** Attila is another one or Cardinal Richelieu or something like that. He's certainly right of many people in this province.

But his speech was one of moderation, and what I want to say to him, because I thought it was a thoughtful address to the House and a moderate address, is that if you wonder why members of the teaching profession don't always see somewhat benign legislation as being benign, it's because of what they've been subjected to by the Harris government, now the Conservative government—I won't say the Harris government—in Ontario in days gone by. Those television ads vilifying teachers during the Bill 160 dispute, I'll tell you, went a long way to alienating a lot of people I know in the education profession who are Conservatives.

I had many friends who I consider to be good friends and good educators who were long-time Tories. I'll tell you, in the last campaign it was quite surprising to some of my regular people who work in my campaign to see people who had been on the executive of the Conservative Party in years gone by, people within the education system who were working in my campaign. That's how alienated they felt, because the Conservative Party used to have within it a lot of educators who voted for them and were part of the Conservative Party.

Frankly, over the years I always recommended to them, and it was not in my interest to do so, that if you want to be active in the political system and you're a Conservative, go to the Conservative conventions, go to your members, try to influence the policy. Yes, I welcome you to come to the Liberal Party or the New

Democrats no doubt would, but there was another role to play. These people felt completely alienated by what they saw this government imposing on the province, whipping up anti-teacher sentiment—and it works with some. There are some people out there who don't like teachers, don't understand what they have to go through and will never like teachers, and when you whip up that sentiment, there is a price to be paid certainly in one case, but there is a prize to be won electorally. But is it good for the system? I think not.

**2040**

**The Acting Speaker:** Members now have up to two minutes for questions and comments.

**Mr Martin:** I want to say that one could do worse than taking some time to listen to the member from St Catharines in this place. This evening, if you listened closely, you heard a person who understands the contribution that teachers make to this province, who understands the commitment that flows through the effort of teachers out there across this province who come to their profession after having experienced themselves the support and effort of teachers in their own right to get them to where they are so they can in turn impart that kind of support and contribution to the students they have responsibility for each day as they come to their classrooms and their schools and try to inspire, inform and encourage.

The member from St Catharines has obviously over a long period of time interacted with teachers, has met with teachers, has worked with teachers, and understands the commitment that's there, unlike the members across the way who, as he has so rightly pointed out, on one hand get up in this place from time to time and say good things about teachers, when in fact we know by way of the advertising, for example, that they ran during the Bill 160 debate in this House that at the very least this government has no conscience when it comes to using these very valuable civil servants for their own political ends. This piece of legislation is a real insult.

*Interjection.*

**The Acting Speaker:** The Minister of Community and Social Services will please come to order. The Chair recognizes the Solicitor General.

**Hon Mr Turnbull:** Thank you, Mr Speaker, and congratulations on your appointment to this role.

It's interesting to listen to this debate. Clearly, we always know that the NDP disagrees with us; that's a given. But the Liberals, of course, are always very glib. They want to seize some political advantage out of anything. And here we have the member from St Catharines, as usual, suggesting that there's some evil motivation in what we're doing with this.

Quite simply, when one flies on an airliner, one expects the pilot to be regularly tested and upgraded in his or her skills. That is a given. What we are trying to achieve here is to ensure that all teachers take upgrading during their fairly long holidays each year so that they continue to learn. The amount of amassed knowledge that

exists in this world is going up exponentially. It's important that they renew their skills.

But let me say very clearly that our party does not in any way have any agenda against teachers. We are supportive of teachers. However, we know that it's good political rhetoric from the Liberals to suggest that somehow this is part of some evil plot.

With respect to teachers retiring, it was in fact the teachers' unions that for many, many years—I believe even when the Liberals and the NDP were in power—wanted to have an earlier retirement factor. It was our government that extended that advantage to them, and they are taking advantage of it. I would suspect that when the member for St Catharines speaks about the principals who retired at age 65, they probably couldn't retire before that with a pension.

**Ms Caroline Di Cocco (Sarnia-Lambton):** First of all, I certainly don't believe that the government is embarking on an evil plot. I just believe that the government doesn't know what it's doing. It's that simple. We have a complex society. Leave It to Beaver is just not applicable in most real families.

When we want to talk about quality education, quality education doesn't come about simply by the government using the words in its legislation or by using the words in those expensive \$6-million ads and those brochures. That does not achieve quality education. Quality education is about good management, and this is not what the Conservative government has shown. They are not good managers.

Quality education is about encouraging and supporting highly motivated professionals. That's what quality education is about. It's about stability and innovation. Quality education is about teaching the whole person. It's about balance: it's about teaching math, technology, art, music, history, sports. All of this creates quality education. It's about high standards.

On the other hand, as I said, the education system has undergone dramatic, fast-paced changes under the Conservative government, changes without resources and proper funding and with not enough transition time. All that has been created is chaos. I could just give you a quick example: the extracurricular fiasco. There wasn't a problem; you had to create the problem. As I said, it's not that there's an evil plot, but unfortunately I don't think the government knows what it's doing.

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** We've heard a lot of rhetoric from the opposition about this particular act. We expected this. I can remember, going back, talking with the Minister of Education in the Liberal government and to the Minister of Education in the NDP government about bringing quality assurance measures to our education system. When I went up to them and asked them about making these changes, what they said to me was this: "Every time we take a step out to try to move a little bit progressively toward providing quality education in the province of Ontario, the union slaps us down. The union slaps us down each and every time we step out and try to

make even a little bit of an improvement in terms of the quality of education in our province."

This government has finally had the intestinal fortitude to step up to the plate and make some quality improvements to our education system. So what do we get from the opposition? The same old rhetoric and the same old lack of intestinal fortitude in terms of facing up to the fact that we have to demand of our professionals, be they teachers, engineers, doctors or whatever, a higher quality of service.

The teachers who will come under this legislation are those who are no longer on the increasing pay scale grid where they are taking courses. It will be those who have already reached the highest pay scale of a grid and are no longer taking those courses who will have to continue to educate themselves and earn the higher salaries that they are now receiving.

**The Acting Speaker:** The member for St Catharines has up to two minutes to respond.

**Mr Bradley:** I know that my friend Mr Sterling, who is both a lawyer and an engineer—I really admire that—would admit himself that he's been on course every weekend, as he would probably say. In fact, he allowed beer on the course now, I must say to him.

I think if you listened to the tone of the debate—I didn't get a chance to listen to the entire debate from the member for Trinity-Spadina—you've found it's been relatively moderate on this particular piece of legislation. What I am pointing out to you is why people in the teaching profession, when you bring forward a new piece of legislation, are suspicious of that legislation.

Not everything. There are teachers, principals and members of teachers' federations in this province who would say that not all the changes that have been made in education by this administration or any previous administration have been bad for the system or aimed at teachers. I think what we look at is a number of the pieces of propaganda that have gone with the changes. Even this teacher testing thing plays well to people who say, "That teacher tested me. Good for Mike Harris. He or she has to take a test now." I know it plays well to a certain number of people.

2050

Indeed, as I've mentioned in my remarks, there's much in the bill that I think three of the parties might even agree with. Some of these recommendations have come from Dave Cooke, the former NDP Minister of Education. Some have come from the late John Sweeney, who made some recommendations. What we find in each of these pieces of legislation, unfortunately, is that there is a hostage in them that sometimes doesn't allow us to support a bill that otherwise might have a lot of merit.

**The Acting Speaker:** Thank you. The floor is now open for further debate. The Chair recognizes the member for Bramalea-Gore-Malton-Springdale.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Thank you, Mr Speaker. Well done. I too want to congratulate you on your assignment. You're doing a wonderful job. If I can, and not being critical at all, you



have been very, very vigilant and sort of catching people if they've been unruly at all, so I certainly want to congratulate you for being on the ball.

I want to address the people at home for a second because I know they've been watching the proceedings of the House since 6:45 and they might not have quite gotten the gist of what we are talking about, because members have been all over the place, except for my esteemed colleague from Oak Ridges. People, especially coming from the third party, have been talking about tax cuts. That is something unusual, unheard-of. Perhaps they've seen the light, and I'm very, very happy that they have.

I want to emphasize that the discussion we have this evening is on Bill 110, which is the Quality in the Classroom Act, 2001. This act is the latest step in our government's comprehensive plan to reform publicly funded education in Ontario.

Even before I got elected, I got an opportunity many, many times to speak to students, anywhere from perhaps grades 4 and 5 up to the OAC level, about different subjects. I did get an opportunity a few times at Martingrove Collegiate. It's not in my riding, but they did from time to time invite me, previous to my election, to talk about entrepreneurship, because I'm a small business man and I'm an engineer as well.

Last Friday I was in my riding talking to grades 4 and 5 students, all three classes, at the Goldcrest school, which is in my riding, and half an hour ago I got a call from a student in Woodbridge. Again, that's not in my riding but they have invited me—based on my time, so they've been very courteous—to go and talk to them between now and Christmas at any time. I'm very, very happy to take part in those sorts of discussions and share my experiences and share the entrepreneurial experiences I might have had. Of course, after I speak they have a chance to talk to me, ask me questions, and I'm sure after I leave they rate me and decide whether they want to have me come back again or not. That's a sort of testing or evaluation that one constantly goes through. I'm very happy to take part in those.

The purpose of our education reform is to continue to set a higher standard for student learning in Ontario and to provide the tools and resources for student success. Excellence in education starts in the classroom with the best possible teachers, and during my excursions to the schools when I go to talk to them, I meet some tremendous, hard-working teachers.

I remember my own teachers and, if my memory serves me correctly, I do remember writing about 41 years ago—that's a long time; it's hard to remember, but I do remember, because it was a significant event—a standardized math test in grade 4. This didn't used to be called standardized testing. It was called a scholarship exam, and if you won that, if you were in the top percentage, 1%, you would get a very small monetary scholarship. That made you so proud because you were doing well, and you were doing well because of your

teachers, the parents' involvement and some of the things you were interested in.

Every one of us carries with us memories of teachers who have made a difference in our lives. They could be our math teachers, our science teachers, our phys-ed teachers, our coaches. I'm sure you remember some of them as well. If I can mention some names, Mr Trotz taught me English. Even though I still have difficulty with the language, he taught me quite a bit of English at the OAC level. Mr Roots was my chemistry teacher—very fond memories. There was a time when I was asked to do an exercise in front of the class, and I didn't think I knew quite how to solve the problem, but Mr Roots encouraged me. Even though I thought I couldn't do it, he knew that I knew how to solve it. With his encouragement, I was able to, which was a great thing. We remember those sorts of circumstances as we grow. I'm sure every one of us, even people listening at home, has fond memories of some teachers.

I'm going to give you another example. My young nephew used to come to me and once in a while he would ask me what kind of computer to buy. I was very happy to guide him. At that time, they used to have I guess XTs or just the ATs, just starting out with a little bit of megahertz—good computers in that sense. But now, of course, we are into very high-level computers, and now, because he has kept up with the technology, I have to ask him, "By the way, I want to upgrade my computer. It's not working as fast on the Internet," or whatever, and I have to ask. This reflects back that people have to keep up to speed. I have to learn from him. We want to make sure of that with the teachers who are teaching, because things do change. They might have learned their skills over the years, and it is important for them to keep up and upgrade.

Another personal example: somebody in the family is in the medical profession, and she constantly has to upgrade her skills. She attends what we call Saturdays at the university. A whole day out of their busy time, with their own money, they go to the university, learn the skills and upgrade them.

While recognizing the essential and very important work that teachers do, I think what we are trying to do here at the same time is make sure that as things go forward, as things change, they are up to date. Many of my colleagues, even now during the mid-elections, do what we call door-knocking. I'm sure many of you are doing the same thing.

**Hon Mr Baird:** I do.

**Mr Gill:** Yes, of course. It's a great experience because you get to hear at first hand. I remember a couple of weeks ago, it was a nice day; it was beautiful. I knocked on the door and the first person I talked to was a young teacher. She was so happy—and you have to believe me because I'm telling the truth. A lot of time people say, "Oh, yeah, you're just making up things." That's not ever a reason in my case. She was so happy. She was a young teacher and she had no problem with the teacher testing. She said, "This will make sure that

we are staying up to the standard and we are keeping our standards high.”

This makes their skills portable as well. As people have discussed earlier on, as the teachers are being tested, if any of them are not quite up to the standard and they go and apply somewhere else, we want to make sure that the new employer, the new school, can go back to their original place of employment and ask them whether the teacher has passed required tests and everything else.

#### 2100

It is essential that teachers instill a love of lifelong learning in our students as well, provide them with the tools to meet the challenges of changing jobs and new careers, because workplaces, as you know, are also changing. Even traditional jobs like tool and die maker have changed. There are a lot more computers in that, a lot of CNC machines. Even though we call it a hands-on job, it's not quite hands-on because there is a lot of technology involved in it. For teachers to be able to get students ready for tomorrow's world, teachers themselves must be continually enhancing their skills, adapting to new technologies and keeping their skills up to date.

Of course, teachers are not alone in facing these challenges, as I said before. Many professions are faced with challenges of meeting tough expectations for quality and excellence from clients, consumers and the public. I gave the example of doctors, who have to continuously take on CME, continuing medical education courses. Also, I know that professional engineers and many other professions are tested before they get into the profession.

Many professions today have a variety of entry requirements, standards for professional development, ongoing assessment and accountability practices. For example, regulatory bodies for dental hygienists, nurses and occupational therapists all require candidates to pass exams that test basic knowledge and skills to become fully licensed or registered to practise in Ontario. The Ontario Association of Architects has a mandatory continuing education requirement for all licensed members, and the Royal College of Dental Surgeons of Ontario requires its members to complete a mandatory program of professional development over a specified period of time.

Ontario has many excellent teachers, as I've said before, and many of them, including one of the teachers I met while door-knocking, recognize the need to keep their knowledge and skills current. They are actively involved in professional development activities to build their qualifications and develop new knowledge and skills. That is why our government has introduced our comprehensive teacher testing program, to ensure that all teachers, both new and experienced, have the capability to help our students excel in their knowledge and to succeed and achieve higher standards.

Bill 110, which we're discussing today, will establish a qualifying test for all entrants to the profession, whether trained in Ontario or elsewhere, to ensure they have the basic knowledge and skills expected of an Ontario teacher. Again, the examples are—I know in my

own family—that sometimes teachers' colleges do not have enough spaces—another problem that we'll address another day—even though there's a lot of demand for the teaching profession. I know that my niece had to go to Manchester to get her teaching diploma. She was born in Canada, and she graduated from U of T. But because the spaces were very limited, she had to go to Manchester to spend one year. She's back, and she's very happily employed with the Peel board of education, doing a great job. She's a science teacher. I certainly encourage her to keep upgrading her skills and perhaps do a master's, because we have a lot of need for principals and professors and everything else. I do believe in continually improving oneself.

Another example is my cousin. He had to go to Spain. He's very happy that he went to Spain, because along with his teacher's certificate he learned a new language. As you know, especially in North America, French and Spanish are tools you can never sort of have difficulty with. Once you have those, your portability throughout North America is great. Of course, when they came back, they had to go through equivalency testing to make sure they were up to the standard.

Going back to the medical profession, I know that before students actually go to practise medicine, even though they have graduated from university, they have to pass what they call an evaluating exam, and then they have to continue every year to take so many courses to keep updating their skills. Similarly, new teachers would be required to pass the qualifying test to be certified by the Ontario College of Teachers to teach in Ontario.

The second purpose of Bill 110 is to create a comprehensive performance appraisal system to evaluate teachers on their performance in the classroom. As you know, whenever there's a seminar we attend, the instructor or the facilitator, after they complete the seminar—and business people pay a lot of money to attend some of these seminars, hundreds and thousands of dollars. At the end, everybody has to fill out a performance appraisal: how did that particular instructor do? It's another way of evaluating some of the instructors. The new provincial standards outlined in the legislation would ensure that principals and school boards regularly and consistently evaluate teachers' knowledge and skills. In addition, the legislation would provide for parents and students to have input to the appraisal process, because those are the stakeholders: the students and the parents. Low-performing teachers would be given the time and support they need to improve.

I would also like to focus on the details of the performance appraisal system proposed by Bill 110. Previously, Bill 80, which the Legislature passed last June, established a comprehensive framework for professional learning by Ontario teachers. Bill 80 requires all teachers to participate in a series of professional development activities and courses in five-year cycles throughout their careers. The current bill, Bill 110, builds on the provisions of Bill 80 in several ways.



This bill would establish the regulatory authority necessary for the establishment of teachers' learning plans. These plans would be developed by teachers themselves, in consultation with their principals, and would map out an action plan for professional growth. There's an essential and necessary link between professional learning and evaluating performance. Mandatory professional learning ensures that teachers' knowledge and skills are up to date. Performance appraisals provide the necessary assurance to parents that teachers in our classrooms are the best they can be. A lot of times the parents, especially in the higher years, and previously the OAC year, asked the school, "What are the graduates doing? How many graduates go to university? What do they end up doing?" Similarly, they're very interested in how well the teachers are doing: are they up to the standard?

One way of evaluating some of the teachers very easily on an ongoing basis is how well the students are doing. It's performance-based testing in that sense. Automatically, if your students are not ending up successful as they pass on to university—my colleague Mr Klees mentioned earlier that it is important to test not only the students, because you want to make sure that all schools throughout Ontario are teaching the same curriculum, the same standards, because you want to make sure these students learn the same skills and know the basics, they know the arithmetic, they know spelling, they know comprehension. It is also important for teachers to make sure they are up to the standard we expect.

This is a particular need that was drawn to our attention by a number of education partners, especially the Council of Directors of Education, called CODE. As we were developing this legislation, we asked that council to conduct a survey of teacher appraisal practices across the province. The survey confirmed the need for taking a much more comprehensive approach to evaluating teachers' classroom performance. While the boards have been developing tighter practices in this area, few boards today have policies and programs in place to help weak teachers meet the standards they need to achieve. In addition, few boards currently have evaluation policies that recognize teacher excellence or identify possible mentors or exemplary teachers.

Bill 110 provides for all beginning teachers to receive two evaluations during each of their first two years in the classroom and for all teachers new to the profession to be evaluated twice in their first two years with the new employer. It also provides that if a principal has concerns about a teacher's performance, he or she may do an appraisal of the teacher more frequently.

I think that sort of scenario works even in the workplace. You have a new employee and they are undergoing training. If a lot of times you see that they are not performing to the standards, sometimes you have to sit down more often with them. This is no different from what people go through in the workplace.

There is much more I can talk about on this bill. It is a method by which we want to make sure that teachers are

staying up to the job and, as technology changes, they should be able to teach students as they were initially trained to.

I am hoping that everybody will find the benefits of this bill, and I understand that members from all sides will be voting for it.

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**The Acting Speaker:** Members now have an opportunity to speak up to two minutes in question or comment.

**Mr Bruce Crozier (Essex):** Something that has come to mind during this debate is that the focus is on teachers and on the testing of teachers, and we seem to lose our focus on students. I think back when I was in school, which admittedly was a while ago. We had good teachers and we had, in my view, bad teachers, and it may not have been appropriate for me to make that decision at that time.

The focus was, I think then, and should be now, on the students and on the students' results. We just seem to be attacking the system when all of us here in this Legislature are the result of an education system that has evolved over the years.

Present company excluded standing before you, I don't think it was all that bad. I don't know whether we could have used teacher testing to make it better in the past, but the focus for testing was always on students, and the students' results through testing was what we really wanted to get at to see how good our education system was.

I am just concerned that we're not considering the fact that we have excellent teachers coming into our system now. I think of when Joan's and my children were going through school and we were to help them with their homework, and they were even more advanced than we were, and it was a result of good teachers. I think we still have that.

**Mr Martin:** If I could believe for a second that what this government wants to do with this piece of legislation is in fact to improve the system, then I might be willing to support it. However, the track record in front of us by this particular regime here at Queen's Park does not speak to that being their end in everything they've done where the education system is concerned, from beginning to end.

They started out, when they first got elected, with the Minister of Education's sharing off-the-record remarks that the system, if it's not broken, needs to be broken so that it can be fixed. From there, they moved on to a campaign of vilifying and demonizing teachers and then breaking up the system by reorganizing the boundaries within which school boards operate, and then removing resources from the system so that anything that was left of school boards could no longer deliver the quality program that we saw evolve in this province over a long period of time under different stripes of political parties.

Now this piece of legislation, which again centres out teachers by its very name, to suggest that they're not qualified, that they don't make every effort to keep up

with the best practice that's out there where the teaching profession is concerned, is just to fly in the face of the truth. I know teachers, you know teachers, we all know teachers who work very hard to be the best they can be, who spend their weekends and summertimes taking courses and are continually being tested so they can be the best they can.

**Hon Mr Baird:** I want to congratulate the member for Bramalea-Gore-Malton-Springdale on his remarks. They were very well researched. He does a forceful job of representing his constituents.

It was interesting to hear the NDP talk about education. All they've been talking about lately is tax cuts. All the NDP talk about, all their questions this week: tax cuts, tax cuts, tax cuts. They're not talking about education, they're not talking about health care, they're not talking about child poverty; all the NDP want is tax cuts. It's quite remarkable.

Education is a real priority for taxpayers in my constituency of Nepean-Carleton. We all have an interest in ensuring that every young person, every child, gets the very best possible education to ensure their full human development and their ability to tackle the pressures of a modern world and be able to compete in the economy of the 21st century.

From Bells Corners to Burritts Rapids, from Edwards to Stittsville, parents in my riding tell me education should be a priority for every government, whether it's funding, which should be a priority—but it's also about the kind of education system that funding provides, about the quality of education. That's why the member for Bramalea-Gore-Malton-Springdale spoke so highly of the two-hour mix. We spend a huge amount of our resources in education in the classroom on human resources and we want to ensure that we are able to make the most of that. It's important to know that teachers are teaching to the best of their ability, to ensure that students get the best possible education. This means we must assess more than knowledge; we must have clear and fair standards for measuring how well teachers actually teach in the classroom and the process to help them improve.

We all think about the teachers we had who made a big difference in our lives. I think of a teacher I had—Kay Stanley, my grade 7 English teacher—who had a real effect on my getting involved in politics and government. You saw the commitment and the energy and enthusiasm that people like her brought to the classroom. We're tremendously fortunate to have that excellent education. How do we encourage more of it?

**The Acting Speaker:** There being no further questions and comments, the Chair recognizes the member for Bramalea-Gore-Malton-Springdale for a two-minute response.

**Mr Gill:** Mr Speaker, again my compliments. I know it's a difficult name for the riding. To make it short, we ourselves sometimes call it BGMS.

I want to thank my constituents for having given me this great honour to serve them. I believe that very seriously. I want to thank the members who spoke on this

bill or in response: the members from Essex and Sault Ste Marie and the honourable member from Nepean-Carleton, a very esteemed member of this caucus. The member from Essex said that there's not too much focus on students, but more on teachers. That is not the case. The case is that we have brought in standardized testing. I have certainly experienced standardized testing over the years. Like I said, 41 years ago I wrote a math test in grade 4, I still remember that, I guess, because I did well; I did get that small stipend of scholarship, or whatever it was, in grade 4.

Testing is very important in terms of evaluating throughout the province where the students stand. We are already doing that. But at the same time, it's important for us to make sure that the teachers are also up to the standard. The member from Sault Ste Marie mentioned—as if everything is so bad. I get distressed sometimes when I hear the third party, because they think everything is bad; the sky is falling. But lately they've been talking about tax cuts. I can't believe it: tax cuts, tax cuts, tax cuts. I'm very happy that they have converted now to realize the benefits of tax cuts and how important it is to keep the economy competitive, where we all benefit.

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**The Acting Speaker:** The floor is now open for further debate.

**Mr Dave Levac (Brant):** Thank you very much, Mr Speaker. I too would like to echo my congratulations and tell you that I'm very impressed with your performance to date. I'm sure that will continue. I look forward to it because we do need this House in order. So I appreciate the fact that you're in your new position, and I wish you luck.

It was said by the other side, and I want to get right to it, that good education starts with the teacher. I have some news for the people on the other side: good education starts with the parents, and providing support mechanisms for parents to make sure that good education is allowed to continue when they get to school. So to the members opposite who want to jump on the bandwagon and start proclaiming, "Some of my best friends are teachers," you're way past the mark and it's too late now. The people of Ontario have caught on to the act. You've gone from bashing to trying to stroke and say, "All we're trying to do is improve the education system." As far as the members opposite trying to take the tone of saying, "We're only here for the kids," the people of Ontario are smart to the joke, they're smart to the issue you have started, and unfortunately we've had to have our profession decimated, to the point where a lot of people are leaving the profession right now. Unfortunately, the problem is ours as a community, ours as the province of Ontario. We now have all inherited this problem that exists. The problem has been exacerbated by the types of comments and the rhetoric that came from that side. We're going to get accused of using rhetoric when we start to talk about the bills.

I'm going to relay a few short anecdotes about my own experience as an educator over the 21 years that I



was in the field of education, some as an elementary school teacher, some as a high school teacher. I taught all the way from junior kindergarten to grade 13, OAC, and now grade 12, as well as being a principal of an elementary school. Some of the things I was looking for in the bill have taken place, and I want to say very clearly, welcome to the world.

What we're finding out is that the government has finally decided that what has been going on for years, actually decades, they're putting on a piece of paper and saying, "We've reinvented the wheel and now we're going to get credit for improving the education system for the province of Ontario." I want to reference some of those to Bill 110, an act to promote this, and suggest to you: "No certificate of qualification and registration may be issued to a person under the Ontario College of Teachers Act, 1996, unless the person has passed a qualifying test approved and administered by the minister." That's not a bad idea. But the question I'm asking is, why would we not have either the College of Teachers or the teachers' colleges themselves apply that test as they exit their education, to ensure that what they've learned over the year or under the three years of the BA system—why does the minister need to take that power on to himself or herself? The power to administer the test includes the power to establish rules related to marking the test. So now the ministry is going to start marking the tests, when we've got three organizations that could probably handle that job themselves. There's a lot of stuff happening in this bill that I think needs to be brought to the attention of the people so they realize that maybe this isn't about the quality they're looking for but more control, to show that they're controlling the situation.

I'll continue to take right from the bill, so that as we discuss these issues, the people of Ontario will recognize that this isn't anything new: "A principal of a school may conduct performance appraisals of a teacher assigned to the school that are additional to those required by sections 277.28 and 277.29, if the principal considers it advisable to do so in light of circumstances relating to the teacher's performance." Guess what? That has been happening. I was a principal for 12 years, and under the first year of my principalship, unfortunately—and fortunately—I had to put a teacher on review. I went through the process that was described in here 12 years ago. So there's nothing new in this particular piece of legislation.

"Subject to subsection (3), and except during a teacher's evaluation year, a teacher may request performance appraisals." I don't know why they would want to do that in the off-year, but they can do that, and it still provides the principal with the ability to say, "No. You're wasting my time. We don't need to do that. You're already an excellent teacher." Or they might want to have it on the record to say, "I'm going to be advancing myself to become a principal or a superintendent," or "I want to take this other job as a consultant, so I want to have another appraisal on there." So teachers could be using that to simply say, "I want to have another good appraisal on there." The principal has the authority to say no. So

there's a lot of stuff happening in this bill that basically wastes a lot of time, that was already being done by principals over the years that I am familiar with.

There's one area I'm a little bit concerned about, and I hope the government on the other side would take heed of this. As much as they want to say that parents and students have input, it doesn't classify what students. It doesn't say there that it must be senior students or at what age limit they're going to provide students with the ability to give input.

Here's something that really needs to be considered, and I hope the members on the other side listen carefully to this: "Information obtained solely through documents recording parental input, pupil input or both shall not be the sole factor in a teacher receiving an unsatisfactory rating or in recommending or determining that a teacher's employment should be terminated." "Sole" simply means it won't be the only particular thing that's going to get a teacher down into a lower level of appraisal. But it's going to be a factor. Unfortunately, what we have here is an opportunity that I've personally had to go through, where we have parents coming in, out for blood from a teacher who, in my professional opinion, was an exceptionally good teacher but was simply providing the students with the guidance that was necessary in that classroom at that time to make sure they had control of the classroom. Yet, what we're going to have now is people coming out of the woodwork, saying, "I want to take control of that classroom. I want to take control of that school." Unfortunately, the problem with this particular piece of legislation is that it doesn't give you the definition of how that's going to apply. It simply says "shall not be the sole factor" in anyone's appraisal.

I'm quite concerned about that—very concerned about that. Where in the bill does it say what age the student is going to be for this input? It doesn't make the justification for it. Again, for any other reason that is inside of this legislation, it comes through another section, and it says it "shall not be the sole factor in a teacher receiving an unsatisfactory rating or" recommendation. They have said that two or three times, and it's something that I think we really have to get our grip on before we can support a bill like this.

Furthermore, I want to point out some discrepancies that seem to exist in the bill. The way the bill is written right now, there are two sections of "unsuccessful," and a third section does exist where we start moving into the review process, which is a process that gets the teacher fired. It recommends to the board to do the firing.

By the way, for those who don't understand, principals don't fire and superintendents don't fire; the boards fire. These are recommendations. But it says, under the second recommendation, that the principal issues a joint report with the superintendent to the board. But under the third, which is the third time in which we go back to the drawing board to help the teacher improve, the supervisor is out of the picture. The principal immediately recommends to the board that the person be terminated.

So now we're moving from a superintendent, who supposedly would have even more experience and more background than a principal would, who is helping the principal and working with the principal to work with the teacher, and in the third case they're automatically moved out of the situation, and the principal is responsible for making the recommendation of firing straight to the board. I think that's an inconsistency that should be clarified immediately.

We want to move on to some of the other points. I know my time is running out, Speaker, and when it does I shall yield the floor with grace and dignity because I know you deserve it. But let me make this quick point. Last year we lost 5,000 teachers for reasons other than retirement. I went to the Minister of Education and asked her directly, "What are we going to do to find out why they left?" All she said to me was, "We're going to get newer teachers coming in, so don't worry about it."

Unfortunately, that's not the kind of answer we need to have. We need to find out from them in an honest forum with this minister. If they're concerned, they should go to those 5,000 people and ask them bluntly in a survey or person to person, "Why did you leave the profession?" I fear the problem is that they're going to find out that they don't like the answer, and it's going to be because of the vilification of teachers that has happened with this government, time and time again. Unfortunately, they don't want to know the answer.

I know we're right on the time, Speaker, so I will yield the floor. I thank you very much for providing me with this opportunity to say a few words.

**The Acting Speaker:** Thanks to the member for Brant. Indeed, it is the anointed hour. It now being 9:30, this House stands adjourned until tomorrow afternoon at 1:30.

*The House adjourned at 2130.*



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		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 23 October 2001

Mardi 23 octobre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 23 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 23 octobre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### LEO GERARD

**Mr Rick Bartolucci (Sudbury):** Over the next few days, my community of Sudbury will be host to a meeting of the international executive of the United Steelworkers of America, led by Sudbury's own Leo Gerard. Mr Gerard will be returning home to his roots with his executive members. Leo was sworn in as the international president of the 700,000-member Steelworkers union this past February.

Born in Lively, Ontario, and the son of a hardrock miner, Leo began working at the Inco smelter when he was 18 years of age, joining local 6500 at that time. While working for Inco, Leo studied economics and politics at Laurentian University, which later conferred on him an honorary doctor of laws degree.

Leo has spent most of his working life in the labour movement and has done much to ensure that workers' rights and the issues of health and safety of workers are brought to the forefront.

Let me share with the House two quotes of Leo's which really articulate his dedication to workers. First, Leo said, "There are people in our society who would like us to think that economic decisions have no values attached to them, but I don't believe that." Secondly, he said, "I am going to fight for the standard of living of workers. I am going to fight for the right to have a decent job and maybe put something away for my future and I am not going to give that ground to anybody."

Sudbury extends a hearty welcome to our homegrown boy whose determination and character are as uncompromising as the rock for which Sudbury is famous. He not only champions the rights of workers but also has time to support special-needs students who are so dear to his heart. Welcome home, Leo, and welcome to your international executive.

#### TRUMPETER SWAN SCULPTURE

**Mr Garfield Dunlop (Simcoe North):** On Friday, October 12, I had the honour of participating in the official unveiling of the trumpeter swan project at Water-

front Park in beautiful Midland. The project, coordinated by the Friends of the Wye Marsh, consists of a stainless-steel-built, 25-foot trumpeter swan which is symbolic of the trumpeter swan reintroduction program at the Wye Marsh Wildlife Centre. The ceremony began with Simcoe county native and Canadian country male vocalist of the year Jason McCoy singing our national anthem.

There are so many people to thank for their contributions, beyond the hundreds of personal donations: Cheryl Webb, president of the Friends of the Wye Marsh; Laurie Schutt, executive director of the Wye Marsh Wildlife Centre; Hudson Leavens for his vision for the trumpeter swan sculpture project. The sculpture stands as a visionary symbol not only to the Midland community but also to fellow Canadians of what can be done when a community works together to save an endangered species.

Ron Hunt is to be thanked for his outstanding contributions in designing and sculpting the trumpeter swan sculpture. Ron has been working on the sculpture for over a year, and without his expertise and commitment this wouldn't be here today. Bill Fielder and Les Hussey both assisted Ron Hunt with the making of the trumpeter swan. Both have put endless hours in also. Bill and Les work at Kindred Industries Ltd and are members of local 540 of the Sheet Metal Workers.

There is Case de Jong, president of Kindred Industries Ltd. Kindred very generously donated the mirror-finish stainless steel that the sculpture is made of and allowed the swan sculpture to be built at Kindred Industries.

Finally, thanks to the council and staff of the town of Midland for generously donating the land and staff assistance to see this generous community project become a reality.

#### PREMIER OF ONTARIO

**Mr Alvin Curling (Scarborough-Rouge River):** I was away when the Premier, Mike Harris, announced that he is stepping down as Premier. Let me at the outset state that I wish him all the best in his new venture.

During his reign, he led a revolution that was destructive and harmful to the working families of Ontario. We have seen our health care system put in disarray; an education system that has been confrontational; affordable housing that was completely taken off the agenda; the Walkerton tragedy; the murder of Dudley George at Ipperwash, which was a national disgrace; the frontal attack on welfare recipients, on democracy and on the



environment; and a debt that is now \$110 billion, and the list goes on and on.

Now the Progressive Conservative Party is looking for a new leader. A new Tory leader will not change the terrain. Arrogance is the policy of the Conservative Party. The bullying will continue. Nothing will change the suffering. Disrespect for democracy will prevail. The lack of accountability for the taxpayers' money will continue to be the norm. The chairs of the Conservative Titanic will not make a difference. It will sink.

Is there hope? Yes, there is hope: Dalton McGuinty and the Liberals bring hope and compassion to the province; a leader and a party that understands the needs of the people, that understands there must be accountability for taxpayers' dollars. There is hope for Ontario: Dalton McGuinty and the Liberal Party.

### COLLÈGE DES GRANDS LACS

**M. Gilles Bisson (Timmins-Baie James):** Intéressant, ce qui se développe quand ça vient à la question du Collège des Grands Lacs. Comme on le sait, le gouvernement et le ministère des Collèges et Universités, avec le collège, ont décidé de fermer ce collège cette année, mettant complètement en danger l'année pour beaucoup des élèves de la première année.

Aujourd'hui j'ai eu l'occasion, de la part de notre caucus, d'assister à une manifestation au collège, où on a appris quelque chose de très intéressant. Apparemment hier soir, soit le collège ou le ministère—ce n'est pas encore clair—a fait une offre aux enseignants de rouvrir le collège pour les élèves de la première année. Ce qui est intéressant est que supposément ce matin quelqu'un a retéléphoné pour dire, «On retire l'offre. On a changé d'idée et on n'ouvre pas le collège pour les élèves de la première année.»

Je dis directement à la ministre des Collèges et Universités, c'est l'enfer. C'est complètement mélangé, ce qui se passe entre votre ministère et le collège lui-même. On demande à la ministre d'intervenir et de s'assurer elle-même que les élèves vont avoir la chance de finir leur année à ce collège cette année, et de mettre, finalement, un bon sens à ce collège à la place de ce qu'on voit depuis les derniers mois avec l'administration présente.

### LIFELONG LEARNING CENTRE

**Mr Doug Galt (Northumberland):** I rise in the House today to recognize the hard work of local 183, Universal Workers Union, and the co-operation of the union and the management team with our government.

Yesterday I attended the sod-turning ceremony in Cobourg for a new lifelong learning centre sponsored by local 183. The centre will offer training programs and short-term courses in a variety of disciplines including road building, sewer and water main installation, framing, bricklaying and cement finishing. The new facility will train some 245 individuals in apprenticeship courses and 400 students in health and safety annually.

The lifelong learning centre is an \$8.2-million project, with a portion coming from the province's strategic skills investment initiative. This initiative will help us to address the critical shortage of skilled workers in the construction industry.

This project is a great example of how unions, the government and management can work together for the benefit of all Ontarians. By the fall of 2002, there will be more opportunities for employment because of these efforts.

I look forward to the opening of the new facility in 2002. I'm pleased to say that we have a great new friend in Northumberland, and it's the Universal Workers Union, local 183.

### HEALTH CARE WORKERS

**Mrs Marie Bountrogianni (Hamilton Mountain):** I am speaking on behalf of the residents of Hamilton Mountain, and indeed on behalf of all the residents of Hamilton, when I raise concern over the prolonged crisis in health care in Ontario. Because of the chronic nursing shortage in this province, McMaster University Medical Centre in Hamilton has been forced to close medical beds for acute care patients.

1340

They are short 200 nurses, and since Ontario nurses are earning less than their counterparts in British Columbia and Alberta, it's becoming even more difficult to recruit them. It's shocking and unacceptable when hospital units requiring 33 nurses regularly operate five to six nurses short. A nurse in intensive care described it as "scrambling all the time." This is not quality health care. This is no way to treat our nurses, and this will not attract new nurses to the system.

The taxpayers of Ontario deserve better. Under the Harris government, Ontario is below the national average in per capita nursing numbers. Ontario has fewer beds per capita—

*Interjections.*

**Mrs Bountrogianni:** I know you don't want to hear this, but this is the truth. Why don't you accept it for a change? There are fewer beds per capita than any other province in Canada.

In addition to nurse and physician shortages, we are facing a shortage of radiation therapists in Hamilton. My constituent, Grace Gagliano, was diagnosed with breast cancer in July and underwent surgery. This is not a laughing matter. In August it was recommended that she receive treatments in 12 weeks. It will be at least 14 weeks and probably longer before she gets treatment. When will you fulfill your responsibilities?

### CASINO NIAGARA

**Mr Bart Maves (Niagara Falls):** Yesterday, both Tim Hudak, the Minister of Tourism, Culture and Recreation, and I were on hand as construction of the new Casino Niagara officially got underway. The

Niagara Falls Casino/Gateway Project, a Hyatt casino and resort, is part of a larger vision to revitalize the Niagara Falls region by transforming it into a unique, year-round tourist destination which will draw and expand on the existing tourist base and increase visitors' length of stay.

The estimated \$800-million investment in the new Casino Niagara complex is approximately the equivalent of building three new Air Canada Centres. Located on an eight-hectare site on Murray Hill, overlooking the Horseshoe Falls, the complex will feature a casino containing 3,000 slot machines and 150 table games, a 368-room Hyatt hotel, extensive meeting and exhibition space, a world-class retail facility, restaurants and entertainment venues. The complex also includes several off-site attractions, including plans for a people-mover system as well as a 12,000-seat indoor-outdoor amphitheatre for concerts.

Many residents had the opportunity yesterday to participate in the groundbreaking and start of the new casino complex. Approximately 200 excited and enthusiastic people equipped with shovels and wearing hard hats were in attendance. Thanks to all of them, as well as to Premier Harris, Ernie Eves, Chris Hodgson, Bill Saunderson, the late Al Palladini and all my caucus colleagues for helping make yesterday possible for my community.

#### CHILD CARE WORKERS

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Tomorrow, October 24, will be recognized in communities across Ontario as Child Care Worker Appreciation Day. CUPE, along with the Ontario Coalition for Better Child Care, have worked very hard to inform municipalities about this important day in recognition of the very good work of child care workers.

Children are our most precious resource, and the Early Years Study is the most recent affirmation of the significance of quality care and nurturing of children between the ages of zero to six. Studies show that child care providers play a key role in shaping children's social, physical, emotional and cognitive development, yet there is still little support or recognition for the value of the work of care givers. It is disturbing that those people who carry the responsibility of caring for our youngest children are among the lowest paid workers in the province.

We are blessed in Ontario to have child care workers who have a tradition of high-quality care for our children. Mary-Anne Bedard, executive director of the Coalition for Better Child Care, expresses it well when she says, "Child Care Appreciation Day is an opportunity to raise awareness about the valuable role and contributions of child care workers in the lives of our children, their families and the broader community. By working together we can make early childhood development and care an important issue in our communities."

#### LEADER OF THE OPPOSITION

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** The tragic event of September 11 is still with us. Premier Harris and this government have shown strong leadership in a time of political and economic uncertainty. We stand in stark contrast to the Liberals and their leader, Tax-and-Spend Dalton McGuinty.

The Liberals and Mr McGuinty want to go on a billion-dollar spending spree. Under the influence of their voodoo economics, the Liberals recently called on the government to blow \$1 billion in a panic. Spending our way to prosperity has been tried and failed miserably, but it appears that no one has told Mr McGuinty.

Today we are seeing Mr McGuinty's true colours—red, as in red ink. If the Liberals had a chance, they would have maxed out our credit card a long time ago. Ontarians now know that at the first sign of an economic slowdown Dalton McGuinty and the Liberals are reaching out for our credit card.

Let the record show the Liberals do not believe in tax cuts; they believe in reckless spending. Mr McGuinty wants to do what's expedient, not what's right. This call for reckless spending just goes to show once again that Dalton McGuinty is just not up to the job.

#### VISITORS

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** On a point of order, Mr Speaker: I'd like to take a moment to have this Legislative Assembly recognize, acknowledge and welcome the wonderful folk from Victoria county who are here in the gallery today to be with us.

#### CONTEMPT OF PARLIAMENT

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Mr Speaker, as you are aware, I did write to you earlier today to indicate that, pursuant to standing order 21(c), I would serve notice of intention to move a point of privilege this afternoon regarding the Minister of Health.

It is my submission that the Minister of Health has perpetrated a contempt of this Legislature by impeding and obstructing me, a member of the Legislature, in the execution of my duties.

Let me cite very quickly, Mr Speaker, a reference from the 22nd edition of Erskine May in regard to contempt. Quoting from page 108 of Erskine May, "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence."

Section 46 of our own Legislative Assembly Act sets out the jurisdiction of this House to inquire into and punish as breaches of privilege or as contempt a number



of matters, including "assaults upon or interference with an officer of the assembly while in the execution of his or her duty."

Mr Speaker, the case of privilege that I'm submitting to you today stems from the failure of the Minister of Health to publicly announce the allocation of \$161 million in additional operating funds to support patient services, while at the same time such an announcement of public funding was made in a purely partisan fashion.

The following is a portion of an e-mail distributed to the subscribers of the Ontario PC Daily Bulletin dated October 19, 2001:

"Quality health care for all Ontarians: Everyone in Ontario deserves access to quality health care. And that means providing hospitals with the necessary resources to meet the health needs of their communities.

"That's why Tony Clement, Minister of Health and Long-Term Care, today announced \$161 million in additional operating funds to support patient services. Today's announcement brings the total funding for hospitals this year to \$8.7 billion—the highest total in Ontario's history."

In fairness, Mr Speaker, I've read the content of the announcement. What is of import is that there was never a press release of this nature placed on the newswire service or on the Ministry of Health Web site. I draw your attention to the fact that this was not placed on the PC Party Web site—that would have been bad enough in and of itself—but at least it has some access to the public. This announcement was made on the Ontario PC Daily Bulletin, which is available only to members of the Progressive Conservative Party and to its executive.

Further to that, my staff contacted the minister's office on Monday, October 22, requesting a copy of the release and a breakdown of the amount that each hospital had received. My staff was told by Gord Haugh, the press secretary to the Minister of Health, that he did not believe there was a breakdown available and that I could just contact each individual hospital for that information.

The minister announced the funding to members of the PC Party on Friday, yet there has still been no official announcement made to the public.

I submit to you, Mr Speaker, that the Minister of Health, in not only failing to report this announcement to the public but also suppressing this information from my office, has perpetrated a contempt of this Legislature.

As the health critic for the official opposition, I believe it is the responsibility of the Minister of Health to make available to all members of this House all information about public expenditures that are being made. This is of particular importance to me in my role as critic for health because it is my responsibility to help hold the government accountable for these expenditures.

I submit these matters to you for your urgent and serious consideration, Mr Speaker. I do believe that it is absolutely inappropriate that announcements of public funding should be made only on a site geared to reach partisan supporters, and I believe it is of the utmost importance that you deal with this matter in the midst of a leadership campaign when we need an assurance that

announcements of public funding will not be used or misused for partisan purposes. Thank you, Mr Speaker.

**The Speaker (Hon Gary Carr):** I thank the member for giving me a copy. I won't go through, as she's just done it, but the member essentially takes issue with the fact that other than the e-mail, no official announcement was made to the public and no information was readily available to the member.

I am sure the member will appreciate that the Speaker is in no position to require compliance by all members to any sort of format or distribution list for government announcements.

I do not find that the e-mail and distribution as described tramples upon the rights the members enjoy in this chamber, and therefore a prima facie case of privilege has not been made.

But I do thank the member for giving me that in plenty of time to be able to review it.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy, and I move its adoption.

**Clerk at the Table (Mr Todd Decker):** Mr Barrett from the standing committee on justice and social policy presents the committee's report as follows and moves its adoption.

Your committee begs to report the following bill without amendment:

Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities / *Projet de loi 30, Loi prévoyant des recours civils pour crime organisé et autres activités illégales.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1352 to 1358.*

**The Speaker:** Mr Baird has moved the adoption of the report of the standing committee on justice and social policy regarding Bill 30.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic  
Arnott, Ted  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Beaubien, Marcel  
Bountrogianni, Marie  
Bradley, James J.

Gerretsen, John  
Gill, Raminder  
Guzzo, Garry J.  
Hardeman, Ernie  
Harris, Michael D.  
Hastings, John  
Hodgson, Chris  
Hoy, Pat

Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra

Brown, Michael A.  
 Bryant, Michael  
 Chudleigh, Ted  
 Clark, Brad  
 Clement, Tony  
 Coburn, Brian  
 Colle, Mike  
 Cordiano, Joseph  
 Crozier, Bruce  
 Cunningham, Dianne  
 Curling, Alvin  
 DeFaria, Carl  
 Di Cocco, Caroline  
 Dombrowsky, Leona  
 Duncan, Dwight  
 Dunlop, Garfield  
 Ecker, Janet  
 Elliott, Brenda  
 Galt, Doug

Hudak, Tim  
 Jackson, Cameron  
 Johns, Helen  
 Johnson, Bert  
 Kells, Morley  
 Klees, Frank  
 Kwinter, Monte  
 Lalonde, Jean-Marc  
 Levac, David  
 Marland, Margaret  
 Maves, Bart  
 Mazzilli, Frank  
 McGuinty, Dalton  
 McLeod, Lyn  
 McMeekin, Ted  
 Miller, Norm  
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 Tsubouchi, David H.  
 Turnbull, David  
 Wettlauff, Wayne  
 Wilson, Jim  
 Witmer, Elizabeth  
 Wood, Bob  
 Young, David

Bill 117, An Act to proclaim Congenital Heart Defects Awareness Day / Projet de loi 117, Loi visant à proclamer la Journée de sensibilisation à la cardiopathie congénitale.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr Joseph Spina (Brampton Centre):** I think it's important that we recognize a day that acknowledges that congenital heart defects or diseases are birth-related and consist of 35 different types. They affect many children across Ontario and Canada. In fact, as a person with a congenital heart defect, I am very proud to present this bill to the House.

#### DECORUM IN THE CHAMBER

**Mr John Hastings (Etobicoke North):** Monsieur le Président, I have a point of order I would like you to consider under page 14 of the rules, "IV. Order and Decorum," part 13(a) and (b).

Yesterday afternoon at the end of question period, at approximately 3:23 or 3:24 pm, you being in the chair, Speaker, there was an exchange which several members here on this side, and I suspect on the other side, heard between the member for Don Valley East and the member for Don Valley West. The member for Don Valley East was exiting the House. At that point in time, he pointed over to the member for Don Valley West and, in a raised voice, said words to the effect, "Come on outside, fella, and we'll deal with this matter there." He not only made the statement once; he made the statement twice. My question—

*Interjections.*

**The Speaker (Hon Gary Carr):** I thank the member for raising the—

**Mr James J. Bradley (St Catharines):** Mr Speaker, on a point of order—

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, on a point of order—

**The Speaker:** The same point of order, but let's be very brief and then I'll order. I think the member for St Catharines was first.

**Mr Bradley:** I can explain how this can happen. Very often there are meetings going on in the House when there are proceedings and you ask that we take our meetings outside. I presume that's what happened.

**The Speaker:** The member for Niagara Centre.

**Mr Kormos:** Mr Speaker, I know both these members. The member for Don Valley West may be a few years older, but I suspect he's in better shape. I've got 20 bucks on him right now.

**The Speaker:** I thank the member for raising the point of order and for the members' participation. I know that occasionally members do get rather heated in here. I'm sure the member will agree that the Sergeant at Arms does all he can. In circumstances like this, if members could realize that we are honourable members—and in fact on that particular occasion, it could have been a dis-

#### Nays

Bisson, Gilles	Hampton, Howard	Martel, Shelley
Christopherson, David	Kormos, Peter	Martin, Tony
Churley, Marilyn	Marchese, Rosario	Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 81; the nays are 9.

**The Speaker:** I declare the motion carried. The bill is therefore ordered for third reading.

#### INTRODUCTION OF BILLS

##### ARCHIVES AWARENESS WEEK ACT, 2001

##### LOI DE 2001 SUR LA SEMAINE DE SENSIBILISATION AUX ARCHIVES

Mr Johnson moved first reading of the following bill:  
 Bill 116, An Act to proclaim Archives Awareness Week / Projet de loi 116, Loi proclamant la Semaine de sensibilisation aux archives.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr Bert Johnson (Perth-Middlesex):** I have had a lot of requests and a lot of background and support for giving recognition to those who are in archives and keep track of documents and things like that from the past, the same as museums keep track of artifacts from the past.

##### CONGENITAL HEART DEFECTS AWARENESS DAY ACT, 2001

##### LOI DE 2001 SUR LA JOURNÉE DE SENSIBILISATION À LA CARDIOPATHIE CONGÉNITALE

Mr Spina moved first reading of the following bill:



cussion taken outside. I would ask all members to act honourably, which I'm sure they will do.

It's a difficult task in here some days to keep order. Having said that, I appreciate the member for St Catharines's and the member for Niagara Centre's trying to keep things a little bit loose in here. It is a responsibility of the Speaker to maintain order, and I intend to do that. As you know, there are some occasions when I've had to be pretty tough on some of the members, and I do wish that all members would behave accordingly, as is the case—for everyone watching—most of the time. Members do behave, and I'm sure all of them will continue to do that.

It now brings us down to statements by—

**Mr Hastings:** Do I take it, then, that it's OK?

**The Speaker:** Of course not, and you know it's not OK. Don't be silly. We're not going to get into that. There are situations that come up. The Speaker will try to maintain order. Quite frankly, at the end of the day, when people are leaving, it's very difficult to tell because it's very noisy in here, and I say to the member for Etobicoke North that on some occasions I have had to rule very strongly for him as well and I will continue to do that. I think he knows very well that behaviour and calling people outside won't be tolerated by either side.

## ORAL QUESTIONS

### HEALTH CARE FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):**

My first question today is for the Minister of Health. In the days after September 11, you know that our party promised our full support to ensure the safety of Ontario's working families, and we promised to keep bringing forward positive solutions, like our Ontario security plan. Here is another part of that plan.

Right now our hospitals are running at about a 93% capacity when it comes to bed occupancy right across Ontario, and it's 97% right here in the GTA. Our emergency wards are full. Our hospitals and emergency wards would have a real challenge contending with a bus crash, let alone something of the magnitude of what recently took place in New York City.

Here's my proposal to you: instead of speeding up handouts to already profitable, already competitive corporations, let's instead invest that \$175 million in emergency health care. Making sure our families are safe, making sure we're meeting their needs in an emergency, is more important to me and to my party than cutting taxes for already competitive corporations. So I ask you, Minister, will you implement my plan?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for his suggestion. It's in fact our plan, because since 1998 we've invested over \$750 million to improve access to our ERs across the province, to provide more flexibility

to anticipate and respond in the peak periods of activity. So that is in fact our plan. We have added \$44 million this year to our universal flu vaccination program, which takes pressure off our emergency wards. That is a plan that is unique in the world, not only in North America but in the world, to allow any individual at their workplace, doctor's office, hospital or nursing home to get the flu vaccine.

**1410**

May I take this opportunity, since the honourable member has provided it, to encourage Ontarians to get their universal, free flu vaccination. That will help us deal with our ER situation as well. That's the kind of foresight this government has shown over the last few years.

**Mr McGuinty:** Minister, let me tell you where your foresight has led us. We now have the fewest nurses per capita in the country. We come next to last when it comes to the number of hospital beds per capita. That is where your leadership has taken us.

This is a good opportunity for you to tell Ontarians and perhaps your supporters, since you view yourself as a contender, where your priorities might lie. We've got a very important choice to make. I think it's more important that we invest \$175 million in our emergency health care system to make sure our families get the care they need should the eventuality unfortunately arise. You consider it more important to sink \$175 million into corporate tax cuts for corporations that are already competitive and yet you still want to make sure they are taxed at a rate that is 25% below their North American competitors. That's the issue here.

I ask you, is it more important that we make sure there is room at the hospital inn for our families in the event of a terrible emergency, or is it more important to you, as the Minister of Health, to make sure our corporations have a tax level that is 25% below their competitors?

**Hon Mr Clement:** Let me remind this House about some of the investments we have made since 1998: \$225 million over four years to implement more flex beds, interim long-term-care beds, expanding home care services; \$90 million for emergency and critical beds in Toronto, Hamilton, London and Ottawa; \$97 million to fast-track the expansion of 56 hospital emergency departments. I could go on, but the point is that we have acted, that we have understood that after the years of the Liberals closing hospital beds, we had to expand our hospital sector in a way that put the money for patient care, that concentrated on patient care. We have made those investments, and when the honourable member talks about his plans, these have been our plans and we have acted on those plans under the leadership of Mike Harris, and we are very proud of that.

**Mr McGuinty:** Minister, if you want the big job, you're going to have to do better than that. You're going to have to actually take a position. You'll have to tell us whether you think it's more important to invest in health care, especially in emergency care, for our families, or whether you think it's more important to invest in more

tax cuts for already competitive corporations. That is the very clear distinction. Tired, old ideology is no longer going to cut it. Ontarians are looking for good ideas, not old ideology.

I put forward a good idea. It doesn't cost you a single extra cent. The money can be found in the budget. It's all about making sure our families have access to emergency care should the unfortunate need arise. I think you've made it very clear whose side you're on. I want to ask you now, in your capacity as Minister of Health, why is it you don't stand with Ontario families in making sure they've got adequate emergency care in the event of an unfortunate eventuality?

**Hon Mr Clement:** Here's a Leader of the Opposition who earlier last year said that money wasn't the problem in health care, that the system needs to be fundamentally reformed. Evidently he's changed his mind since then, which happens with alarming regularity. The honourable member mentions our economic policies. Our economic policies are based on growth and opportunity. They are based on the fact that our province can succeed when we have an economy that is growing, when people have jobs, when people have economic opportunity. Tax cuts have been part of that. They have created 860,000 jobs since we were elected. We are proud of that legacy. That's how we pay for health care; that's how we pay for education; that's how we pay for safe streets. That's how we pay for all the programs the honourable member seems to be so enamoured with and yet spends the money over and over again, seeming to think it comes out of a well that has no end. That is not leadership. That's the same old Liberal rhetoric that'll get us right back in the soup again that we just crawled out of through the leadership of Mike Harris.

#### GOVERNMENT ADVERTISING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Chair of the Management Board. On Thursday this Legislature will be debating my bill to end the use of taxpayer dollars on partisan ads.

Your government has a sorry record of serious addiction when it comes to spending public money on partisan political ads. Recently, instead of investing \$6 million in our classrooms—for example, buying more textbooks for our students—you plowed \$6 million into an ad campaign. Still more recently, after September 11, instead of investing \$1 million in concrete measures to make Ontarians safer, your government invested \$1 million in an ad campaign. Again and again, you choose to prop up your sagging political fortunes over the needs of working families.

Minister, my question to you is very straightforward: will you do the right thing? Will you support my bill?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** The Leader of the Opposition mentions the ad that the government put in the newspapers a short while ago dealing with our response to the tragic events of September 11. It's certainly something the people of Ontario have been expressing to us on the

government side, and I suspect on the opposition side as well, that they need to know what the government is doing to respond to September 11. It was also very important for us to thank the many Ontarians and Canadians who went down to the United States to assist in this effort—to thank the firefighters and other volunteers. I think it's very important for us to recognize those efforts.

This is a piece of advertising that I believe the people of Ontario wanted to see. They wanted us to acknowledge the efforts of Ontarians, but also to indicate the steps the government is taking to address the events of September 11.

**Mr McGuinty:** Between 1995 and April 2000, your government spent over \$234 million on advertising. You can stand up and act as an apologist for this government and these policies, if you will, but our values are decidedly different and we think it is wrong to use taxpayer dollars on partisan political advertising.

You hack away at our classrooms, our schools are falling apart, we don't have enough money for busing, we can't hire enough school psychologists, but apparently there's more than enough money for partisan political advertising. I ask you again, minister: I am putting forward a bill, and it's the second time I have done so, which will ban the use of taxpayer dollars for partisan advertising. We think it is the right thing to do; we think it is the right time to do it. I ask you again, will you support my bill?

**Hon Mr Tsubouchi:** It was my impression at one point in time that all people in this Legislature were supporting the efforts we made in terms of dealing with the events of September 11. This is something I believe the people of Ontario wanted to hear. If I could indicate some of the steps—the last time the Leader of the Opposition raised this point, he held up the ad that the government placed in the papers. I proudly hold it up as well, because it indicates the positive steps that we as a government have taken to protect the people of Ontario, such as appointing Norman Inkster and also Major General Lewis MacKenzie to give us consultations on ways we can improve safety for the people of Ontario. We have taken many steps. I applaud my colleagues for taking positive steps. I applaud the Premier for taking a leadership role in all this.

**Mr McGuinty:** Minister, maybe your colleagues are going to buy into that, but Ontarians are not. They can see through that as clear as day. So far you've spent \$234 million in advertising that we've been able to calculate—and there's a lot we haven't been able to incorporate here. You tell us we don't have money for more nurses, but you have hundreds of millions of dollars for advertising. There's no money for hospital beds. There's no money to save the programs in London—I'm specifically talking about the pediatric burn unit and the pediatric cardiac unit. There's no more money in Ontario for home care for our parents and grandparents. We can't keep on staff the only biohazard experts whom we had working for us here in the province. We don't have money in Ontario for textbooks for our kids; we can't



afford smaller class sizes; we can't afford to invest in school libraries; we can't afford to ensure there are adequate busing levels for our kids; we can't afford to hire enough school psychologists. We can't afford to protect our drinking water. Yet you're able to find \$234 million for partisan public advertising.

Minister, isn't it time that you put our working families ahead of your political fortunes? Isn't it time to do the right thing and pass my bill?

1420

**Hon Mr Tsubouchi:** I have a news flash for the Leader of the Opposition: this government has spent more money on health care than ever before in the history of this province. This government is spending many, many dollars more on education. I want to say something else: this government is also investing in police officers—a thousand more police officers in this province since this government took over.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. It's getting too noisy now. Come to order, please. It gets carried away. I let you go, I let you go, and then you get too loud. It's too loud now. I would ask all members to listen to the minister.

**Hon Mr Tsubouchi:** Thank you, Speaker. I might say as well that the Leader of the Opposition is always proud to stand up and say, "I'm speaking on behalf of working families in the province of Ontario." Guess who wants to know what's going on? Working families in the province of Ontario want to make sure they have the assurance from this government, which we are giving them, that we are taking care of their safety needs and dealing with their economic needs.

I have to applaud my colleague Bob Runciman for taking a lead in the economics, the Premier for taking leadership on this entire issue, and my colleagues in the justice ministries, Mr Turnbull and also the Attorney General, for taking their lead in making sure people in this province are safer and better positioned than any other jurisdiction in Canada to deal with the event.

## TAXATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Premier, you will know that today the Bank of Canada cut the interest rate rather aggressively. In fact, it is the lowest bank rate now in Canada in over 40 years. They were clear about why they did it: they want to stimulate consumer confidence in the economy. They want to see people back out there making purchases.

Premier, it's now time for your government to do your part. It's time to reduce the provincial sales tax from 8% to 5%. Consumers are clearly worried about our economy. The Bank of Canada is clearly worried about what's happening to consumer confidence. Will you do your part, Premier? Instead of reducing corporate taxes, reduce the tax that matters most to consumers. Cut the sales tax from 8% to 5%.

**Hon Michael D. Harris (Premier):** The leader of the New Democratic Party is becoming this one-trick tax-cut pony. I know the Liberal members smirk at that, but at least I would say this: the member has got it. He has now understood why Ontario has been leading the way in Canada, understood the response of every other provincial government, the response even of the federal government in Ottawa to work in co-operation with the Bank of Canada and to work in concert with other governments in making sure that we have sound fundamentals here in the province of Ontario.

I appreciate the advice and the suggestion. As you know, both the federal government and ourselves have opted for other tax cuts to stimulate the economy, and we think, in conjunction with the Bank of Canada, this is the right way to go.

**Mr Hampton:** Premier, we're well aware of your boasting and your Minister of Finance's boasting about your corporate tax cuts, but the reality today, as expressed by the Bay and Zellers, is that your corporate tax cuts are not helping them or anybody else in the retail sector one bit. They are saying they are going to lose this year. Why? Because consumers are worried about the economy, and when consumers are worried about the economy, they put money away for a rainy day and they stop making the purchases that they need to make and they want to make.

Cutting the sales tax is one way of saying directly to them, "If you want to make this purchase of a fridge, a stove, if you want to make this purchase of winter clothing, we're prepared to cut the sales tax to save you some money." This is a way to get people back into the shopping malls, back into the Bay, Zellers, Sears, and restore confidence in our economy before we have more layoffs, Premier.

The federal government and the Bank of Canada have done their part. When is your government going to address the issue of consumer confidence?

**Hon Mr Harris:** As I said, I welcome the debate over which taxes to cut and I welcome the NDP to this debate. I think it is something that demonstrates, really for the first time in a long time, that the New Democratic Party understands the mistakes it made when it was in government, something the Liberal Party has not yet understood. So plaudits for that; we appreciate that and we welcome the debate.

I would say a couple of things. We have looked at which of the various taxes are the correct ones to provide overall momentum. I would say that the Bank of Canada—I met with the governor of the Bank of Canada—is very supportive of the policies of this government. We work in concert and look at what other jurisdictions are doing. Both the federal government and ourselves have determined that making sure that employers can employ and that people actually have a job, cutting their income taxes and all the other taxes we have reduced, is the most beneficial way to help the economy.

**Mr Hampton:** Premier, George Bush tried that argument this summer. He reasoned that if he cut personal

income taxes to the tune of \$600 per household, it would create a stimulative effect in terms of consumer confidence. The jury is now in in the United States. Seventy-five per cent of the households didn't spend that tax cut. They put it in the bank because they were worried about the economy.

It's the same thing with respect to your corporate tax cuts. It will do wonders for banks that are already profitable. It will do nothing for the Bay, nothing for Zellers, nothing for Algoma Steel, nothing for Stelco and nothing for consumers out there. Even the parliamentary assistant to your Minister of Finance yesterday admitted your government now has to look at reducing the sales tax for three or four months to restore consumer confidence.

Will you do your part, Premier? Forget about more tax cuts for your corporate friends, forget about the George Bush experiment of personal income tax cuts that didn't work. Deal with the problem—consumer confidence—and reduce the provincial sales tax.

**Hon Mr Harris:** I appreciate that a second tack that's new for the NDP is this lobbying now on behalf of corporate America and corporate Canada, the very large corporations. The next thing you know, the New Democratic Party will be accepting donations from large corporations, or do they already do that?

I welcome the debate on how we can stimulate the economy, on how we can have the right balance of revenues in the province of Ontario, the right mix that is important for today and into the future. I appreciate that the New Democratic Party has a different view than we have on that right mix, but it is a view that is supported right now, I know, by the federal government, by the Bank of Canada and I think by the vast majority of those who understand how to create jobs.

I would say this: any speculation that there will be a sales tax cut is not helpful for jobs and for purchases today, which is why we are not speculating, nor is the federal government. Rest assured, that's not something we're considering.

## MENINGITIS

**Mr Howard Hampton (Kenora-Rainy River):** This question is also to the Premier. I would hope that when you make your economic statement on November 6, that will be part of it and will address the real needs of consumers.

In July I asked the Premier to follow the example of Quebec, Alberta, Great Britain and other jurisdictions around the world that have implemented a meningitis immunization program. I repeated that request in September as the school year was beginning. I was joined by Dr Ron Gold, an international expert on immunization. Just a few days ago, the National Advisory Committee on Immunization called for such a province-wide meningitis immunization program.

Premier, in Ontario this year 65 people have been infected with meningitis, mainly young people, and eight of them have died. Will you now do the sensible thing

and follow the advice of the National Advisory Committee on Immunization and implement a province-wide meningitis immunization program?

**Hon Michael D. Harris (Premier):** The Minister of Health.

**Hon Tony Clement (Minister of Health and Long-Term Care):** As the honourable member knows, there is a National Advisory Committee on Immunization, which just released some recommendations on meningococcal immunization for children under 20. We've typically had guidelines, which were first issued in 1994, that recommend we don't use this kind of immunization for routine vaccination but only for an outbreak control issue.

We just received the recommendations of this important committee. I should stress for the record that it is a national committee, because this issue is of national importance. Certainly we do call upon the federal government to engage in discussions with us on how best to ensure that this national strategy is implemented.

1430

**The Speaker (Hon Gary Carr):** Supplementary?

**Ms Shelley Martel (Nickel Belt):** Do you know that two other provinces, Alberta and Quebec, have already implemented province-wide strategies on their own? We were also told at the health estimates that Ontario has been following the recommendations of the National Advisory Committee on Immunization when it comes to meningitis vaccinations.

Now this committee has made a critical recommendation calling for meningitis vaccinations for everyone aged two months to 20 years. The committee also recommended that that vaccination program begin now, because most of the cases of meningitis occur in the winter and the number of cases has been steadily rising since 1998.

Minister, 65 people have been infected and eight people have died from meningitis this year. This is a serious health issue. Your government had over \$2 billion in the May budget for tax cuts for your corporate friends. Where is the money now to protect infants and children from meningitis?

**Hon Mr Clement:** Let me repeat that we just got the report earlier this week. The original guidelines that were in place said you don't immunize on a routine basis; you immunize when there is an outbreak control issue. This issue, of course, is not just an Ontario issue, a Quebec issue or an Alberta issue; it is a national issue. The federal government has taken the lead to get all the parties together to discuss what should be done on a national basis. We are in discussions with the federal government to see what sort of ongoing and enhanced funding through CHST or some other method can be used to deal with this program in a national and comprehensive way so that we do meet the concerns the honourable member has so rightly expressed.

We of course want the best health for our children and our seniors and for the general population when it comes to meningitis, but it does involve an issue of national importance with national participation necessary.



## BORDER SECURITY

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is for the Solicitor General. The Windsor Port Authority is asking for the help of your government. You will know that the Windsor Port Authority is responsible for 22 kilometres of the Detroit River, including the busiest border crossing in North America, which handles 40% of Canada-US trade. If something were to happen to the bridge or the tunnel located adjacent to Windsor, it would devastate our economy.

A letter today to the Premier reads in part as follows: "It is apparent that local experience in dealing with terrorism ... and financial resources are dangerously inadequate to provide security for key vehicular infrastructure ... for interdiction of people moving illegally by water ... for escort of high-risk ships, and for general policing.... We respectfully and urgently request your government's support in addressing these critical issues."

The question to you, Minister, is what are you going to do to make sure the Windsor crossing is safe for people and for Ontario trade?

**Hon David Turnbull (Solicitor General):** We have certainly been consulting with all our partners at the federal and municipal levels, but surely the Leader of the Opposition understands that what he's speaking about is a federal responsibility.

*Interjections.*

**Hon Mr Turnbull:** I find it passing strange that every time we mention in this Legislature that the federal government should take its responsibilities, you run 100 miles an hour backwards from that proposition. The fact is, the federal government has balanced its budget on the backs of all the provinces, and now you're asking us to try to bail out the feds. I suggest that's rather silly.

**Mr McGuinty:** I want to remind the minister that this government has representation on the Windsor Port Authority. I also want to remind the minister about my plan, which would enable you to lend some assistance to the community of Windsor.

You will know that last week we put out our Ontario security plan, which creates a special \$100-million fund that communities might access for purposes precisely like this one. As I am sure you well understand, Minister, people in Windsor are dependent upon the free flow of goods, services and people across the border. They are telling us that they cannot cope on their own, and there's a letter here that is not directed to the federal government; it is directed to the provincial government and the leader of the provincial government. I think we have a responsibility to try and help out. Does the federal government have some responsibility here? Undoubtedly they do. But I think it is also appropriate that we work together with this community and lend whatever assistance we can. I put forward a proposal which sets aside \$100 million specifically for this kind of purpose.

I ask you again, Minister, what are you going to do now that you've received an urgent request from the Windsor Port Authority to make sure the people of Windsor and our trade are secure?

**Hon Mr Turnbull:** I would suggest to you that (a) I have not received such a letter, and (b) very clearly, they should be directed to address themselves to the federal government, because that is the authority which is responsible for this. However, that being said, we have committed to a process of looking at all the resources of the federal, provincial and municipal governments, as well as police forces, to ensure the security of our borders. I have to tell you that while you were running out to spend \$100 million, which you didn't say how it was going to be raised, over and over again, ad nauseam, our Premier was in contact with the US authorities, working on freer flow of goods and services across our borders.

## IMMIGRATION AND REFUGEE POLICY

**Mr Frank Mazzilli (London-Fanshawe):** My question is to the Minister of Citizenship. Ontario welcomes immigrants—

*Interjections.*

**The Speaker (Hon Gary Carr):** Stop the clock. Order.

The member for London-Fanshawe.

**Mr Mazzilli:** As you know, Ontario welcomes immigrants and always has. I'm certainly proud to be one of those people who have been welcomed to this province. I came over at a very young age with my parents. We have approximately 100,000 newcomers a year. As a result, this province has an enormous stake in the effectiveness of any immigration policy that's spelled out in Bill C-11. I understand that Ontario was not given the opportunity to appear before the House committee on Bill C-11, which proceeded through the House of Commons. But the Senate committee offered to hear our concerns. On behalf of the government of Ontario, you attended yesterday, Minister. Could you outline what you put forward to the federal government on behalf of the government of Ontario?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I'd like to thank the member for London-Fanshawe. In fact, we were the only province in Canada that presented before the Senate yesterday. I was pleased to table Ontario's position with respect to Bill C-11. It was very clear to all the Senators, who openly admitted that this is overly complex legislation—one Senator indicated that the legislation seems to move more to be governed by bureaucracy and less by the laws of our country. Also, Ontario believes that we should be doing a much better job in terms of our front-end security screening for refugee claimants and we should be honouring the financial contributions that are required to support refugees.

Some 26,000 refugees land in Canada every year, yet the federal government flatly refuses—

*Interjections.*

**The Speaker:** Would the members for Windsor West and Windsor-St Clair come to order, please. You just keep yelling across. I know there's some heckling, but

you just continually keep yelling, with no let-up. Sorry, Minister.

**Hon Mr Jackson:** There are about 26,000 refugees—*Interjection.*

**The Speaker:** It's not helpful to yell stuff like that, I say to the member for Ottawa West-Nepean. That is not helpful at all. I'll maintain order in here and I don't need cheap shots coming across like that, when they're loud enough for everybody to hear. I'll maintain order in here. If you want to be Speaker, next time run yourself.

Sorry for the interruption.

**Hon Mr Jackson:** There are about 26,000 refugees who arrive in Canada every year, and most of them, over half of them, land in Ontario. Fundamentally, we have a concern as a province—

**The Speaker:** Time is up. Supplementary.

1440

**Mr Mazzilli:** The tragic events of September 11 have not only changed our economy but the way we view the world. A recent poll suggests that 57% of Canadians have higher stress levels about security in our country. Recently, the media have criticized Canada's immigration policies, particularly concerning the refugee process and immigration enforcement.

Minister, I understand the need for legislation that addresses the concerns of our citizens. Can you tell us if Bill C-11 lives up to the federal claim that it will address these concerns?

**Hon Mr Jackson:** The short answer is that the bill does not live up to its claims. In fact, before the Senate I had an opportunity to expose some of the key elements of the legislation. In fact, the old immigration bill in this country clearly sets out a mandatory duty for police officers to investigate and report inadmissibility for deportation. That is required in the current law. Under the new law proposed by Minister Caplan it becomes a voluntary, non-mandatory condition, and they've dropped the reference to police officers and vested it in the hands of bureaucrats. In other words, they've removed 50,000 police officers from the immigration enforcement process in our country. This is a serious matter and one which even the Senate expressed concern about yesterday.

Frankly, the current Bill C-11 contradicts Bill C-36, a federal piece of legislation brought in by Minister McLellan to deal with anti-terrorism. This government has asked for a bilateral process so we can deal with the concerns of underfunding for refugee claimants and for the security—

**The Speaker:** The minister's time is up.

## MUNICIPAL RESTRUCTURING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My question is for the Minister of Municipal Affairs and Housing. You know, Minister, not a day goes by that I don't hear one of my constituents expressing anger at your government for forcing amalgamation down their throats. They feel mistreated and disrespected. Many of your very own constituents, feeling the same

way, are here today at Queen's Park looking for answers. Over the past several months, the citizens of Victoria county have held a series of referendums. In 17 separate ballots administered in different communities throughout your own riding, an overwhelming 96.5% voted to de-amalgamate.

Minister, they don't like their new municipal government and they want their historic communities and names back. For the record, the people of Victoria county want to know from you today: will you bring forward legislation or regulation to undo the disaster that your government has created in your own backyard and return local municipal government to the people?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** Thanks for the question. I could be partisan and read a bunch of quotes from the member from Hamilton and your leader about the benefits of amalgamation. I can tell you that in my own riding, Bill 26 is the only way that Queen's Park could amalgamate if it was asked for by democratically elected councils. The expenditures—it's working—are down \$5 million from what was collected the year before and spent in that municipality.

There are some transition problems, but it wasn't taken lightly. The township of Emily and the town of Lindsay requested a commissioner. We asked that they find a local solution. They couldn't find that, a commissioner was brought in, and the result is that we have a new municipality which is spending less dollars, providing better service, and the councillors are working hard to make it work.

I would be interested to know what the Liberal solution is, because I'm not going to give weasel-word answers to my residents and pretend that you can undo the past.

**Mr McMeekin:** Minister, when will you and your government actually listen and respond to the people? Let's be honest: the concept of forcing municipalities to amalgamate has been a bad idea from the get-go. In fact your own government, to its recent credit, has now placed a moratorium on any future amalgamations in this province. I want to believe that you are one on that side of the House who still believes in democracy. On February 8, 1997, a full 57% of all the eligible voters in the old town of Flamborough voted 10,762 to 532—or roughly 95%—against the proposition of amalgamating six municipalities into the new city of Hamilton. I'm noticing a trend here. You wouldn't listen then and you're not listening now. The people of Kawartha Lakes, like the people of Ancaster-Dundas-Flamborough-Aldershot, want to know what it is going to take to convince you and your government to allow them the right to determine for themselves their own democratic future.

**Hon Mr Hodgson:** Enough of the rhetoric. He knows full well that in our area it was asked for by local, democratically elected councils. Secondly, they talked about it for 25 or 30 years. He also knows that back in the 1950s and 1960s there were 1,100 municipalities in this province; now there are 447.



If he's suggesting that Dalton McGuinty's position is to allow a referendum without any weasel words, I would like to see it. Where do you draw the line? Do you let Sturgeon Point, with a few residents, separate and become a municipality and county unto itself? Do you let little neighbourhoods that disagree with their neighbours separate and form their own municipalities? I would like to see the wording on how you would allow referendums. What we've done is respect democratically elected councils. In the past, Queen's Park could have forced its will on rural Ontario; it couldn't under Bill 26. The decision is working for the benefit of residents of that area.

### CHILDREN'S SERVICES

**Mr Bob Wood (London West):** My question is for the minister responsible for children. The minister is aware of the innovative program currently being run in the state of Hawaii. As part of their strategy to support parents and children, Hawaii runs a program that allows nurse practitioners to visit families and provide support if they need help adapting to their role as parents. This program has helped a broad range of families, including young families, single parents and couples, who may sometimes feel overwhelmed with the challenges of raising a child. Studies say this program has reduced child abuse among these families by 75%. Long-standing research shows reduced criminal and non-criminal delinquency is likely among these children in the long run. Does the minister believe that such a program could be helpful to the families of Ontario?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I'm certainly impressed with the program of which the member speaks. Indeed, they've had a significant success rate at reducing child abuse and ensuring optimal child development.

We have pursued a number of initiatives in this regard, including the Healthy Babies, Health Children program, where we're spending about \$70 million providing a real commitment to screen about 139,000 babies born in Ontario each and every year. We're also expanding our Learning, Earning and Parenting program, providing supports to single parents, so they can realize the very best they can for themselves, their future and their families. We're also doubling the support for our program for young children with autism to ensure they get the support and the capacities they need to be successful later in life. This is a record of which I think we can be tremendously proud and one for which we're prepared to accept any good ideas, like the idea the member is suggesting, for consideration in the future.

**Mr Wood:** A number of experts, including the government's own Early Years report, have identified a clear need to expand supports to families, so that children can get the best start in life. Research has clearly demonstrated that the first six years of life are the most crucial in determining a child's opportunity for a successful and

happy life. I believe a program like the one in Hawaii offers the chance to greatly reduce criminal and non-criminal delinquency and greatly improve the quality of life for many families across Ontario. Is the minister prepared to consider mandating the offering of a Hawaii-like program across Ontario?

**Hon Mr Baird:** As I said at the outset, I'm certainly prepared to consider any initiative to help young children in the their optimum years. Building on the success of initiatives we've undertaken as a province, whether it's through the proposed Early Years Centres that will be rolling out over the next year, whether it's building on the supports we provide through our health units and the Healthy Babies, Healthy Children program and building on the success our Premier had in encouraging the federal government to provide increased supports and financial support to our Early Years initiative, an initiative on which the federal government took more than three or four years to come to the table and provide that additional funding, we now have the benefit of all levels of government rowing together for the benefit of young children. That's good news for children, parents, families and the future of our province.

1450

### HOSPITAL SERVICES

**Mr Tony Martin (Sault Ste Marie):** My question is for the Minister of Health. Are you telling the Soo area hospitals to cut services? They're running a \$3.5-million deficit. You're telling them they can't run a deficit. They're saying they've already cut to the bone. Doctors are saying that this whole scenario puts services at risk. Are you telling the Soo area hospitals to cut services?

**Hon Tony Clement (Minister of Health and Long-Term Care):** We are working with every hospital. Every hospital has to file an operating plan, as the honourable member knows, so that we can go through what services they propose to render in a given year. We then work with the individual hospital to make sure the resources can cover the plan, and that they do so in the most efficient way. That process takes a little bit longer in some hospitals than others. Sometimes we have to go through an operational review, because the hospital boards approach us and indicate they have difficulty managing in the way we expect them to manage. There is a process of dialogue that goes on, and that dialogue process takes a few months. But we always put patient care first, and this will be no exception.

**Mr Martin:** The Soo area hospitals are running a \$3.5-million deficit. You're telling them they can't. They are saying they've cut to the bone. The doctors are saying that any cut to services will have a devastating effect on their ability to do their job. They won't even be able to attract new doctors to Sault Ste Marie if they can't perform their duties. Will you tell us today whether in fact you're telling the Soo area hospitals that they need to cut services?

**Hon Mr Clement:** Quite the opposite; we expect them to maintain their services. That's why we go through the process of reviewing operating plans to make sure patient care and clinical results are number one. That's the kind of thing we expect of our hospitals, and the hospital administrations are usually exceedingly good at meeting those expectations. The hospital report card we released in July revealed an 88% patient satisfaction with overnight stays in Ontario's hospitals, something all hospitals should be proud of.

Incidentally, the honourable member should know that, as a result of the final allocation for this year, in terms of funding for hospitals that the honourable member opposite mentioned in her remarks prior to question period, the Sault Ste Marie General received \$2.2 million, which of course will help them deliver excellent patient care for the people of Sault Ste Marie.

### PALLIATIVE CARE

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Health. I want to ask you about the St Peter's Hospital situation in Hamilton. As you are aware, St Peter's is the only hospital in the city that has a dedicated palliative care unit. It has 15 beds that are operating at this point. Last year, it had a waiting list of 285 people, mostly cancer patients who died before they were admitted to St Peter's Hospital. On any given day, 30 people are on a waiting list to get into those 15 beds at St Peter's. Most of them are in acute care wards in hospitals, where they don't get the care they would receive at this particular hospital.

In February, you were given a proposal by St Peter's that was going to cost \$700,000 to open up an additional 19 beds. That does not solve the full problem but would go a long way toward solving the situation at St Peter's. Can you tell us why you're delaying and denying this basic care to patients in Hamilton in their dying days?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Nothing could be further from the truth. In fact, I have heard about this plan. You should know that the member for Stoney Creek, the honourable Brad Clark, has been a consistent and very good representative and advocate on behalf of the people of Hamilton and Hamilton area in order to ensure that this minister and the Ministry of Health understand the needs in Hamilton; I wish to put that on the record. The fact of the matter is, we haven't received a detailed proposal from St Peter's. As well, there is a district health council study that is ongoing on this very issue. I would be happy to receive that detailed proposal, and I'm sure Minister Clark can assist me in that regard.

**Mr Agostino:** Minister, you seem to be the only one who doesn't understand the need and feels we need more studies and more reports. Maybe the Spectator editorial had it best in the headline when they said, "Tories Tell the Dying to Wait a Little Longer." Clearly there's no need for further studies. We know the need that is there.

Your own colleague seems to understand what you don't. But let me quote what he said, "I think in the Hamilton area we don't have the palliative care we should have. Unfortunately palliative care in Hamilton has fallen by the wayside." That is your cabinet colleague Brad Clark. You're the only one left who doesn't seem to understand this need, Minister. I don't understand why you need further studies with 15 beds in the whole city for palliative care. What other reports do you need to convince you that the need is there, that you're not meeting that need? They provide quality care. They provide round-the-clock nursing. They give the families opportunities to visit around the clock. It is a type of support you don't get in the hospitals.

Minister, can you explain to this House why you have \$2.2 billion for tax cuts but cannot commit today to \$700,000 for Hamilton to give people in their last few days the quality care that they deserve and need in the city of Hamilton?

**Hon Mr Clement:** Let me make it perfectly clear for the House and the honourable member. There is a planning process which will have a final report at the end of that process. The hospital is participating in the process. They haven't finalized their proposal with us, because they are participating in the local process, the DHC process, so we are waiting for that. In the meantime, we've had some very effective advocacy by the member for Stoney Creek, who understands the issue and who understands the need for this kind of care. So we are taking all of that under advisement.

When it comes to the latter part of your argument, we know the Liberals don't like tax cuts. We know the Liberals have voted against every single tax cut that we have proposed in this House. You don't have to underline it, but if you want to underline the fact that you don't like tax cuts, that you don't like the fact that the people of Ontario have more change in their jeans, you can continue to do that, but that does not help with health care—

### *Interjections.*

**The Speaker (Hon Gary Carr):** The member for Hamilton East, come to order. Was the minister finished? Sorry. Member for Simcoe North.

On a point of order, the member for Thunder Bay-Atikokan.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Mr Speaker, the Minister of Health, in response to the question from the member for Sault Ste Marie, made reference to the point of privilege I raised earlier with you regarding a list of hospitals that had received funding in a recent announcement. He held up the list in the House. I therefore have reason to believe that list is the list I was requesting earlier. It's my understanding that any material referenced in the House must be tabled with all members. I would ask him to table that.

**The Speaker:** You know that it says it will be referred to, and not just on one simple occasion, every time somebody does it. It's on occasion when it's being



referred to continually, and it was not. Simple references like that are not a situation where he needs to table it.

### SULPHUR DIOXIDE EMISSIONS

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of the Environment. I was reading an article this morning in the *Globe and Mail* regarding acid rain and the Clean Air Task Force report that was released today. The report clearly states that acid rain will continue to affect the lakes and forests of eastern Canada and existing salmon populations unless sulphur dioxide emissions, which are the main cause of acid rain, are dramatically cut.

Minister, could you please tell the House what the government's commitments are to reducing sulphur dioxide emissions in our province?

**Hon Elizabeth Witmer (Minister of the Environment):** To the member for Simcoe North, yes, I had an opportunity to take a look at the Clean Air Task Force report, and Ministry of the Environment staff are reviewing that report.

Our government is very proud of the commitments that we have made to reduce sulphur dioxide. In 1985, this province, along with New Brunswick and Quebec, signed the Countdown Acid Rain agreement to reduce sulphur dioxide emissions by 50% by 2004. However, I am very proud to say that in January 2000, our government announced a commitment to reduce sulphur dioxide emissions by a further 50% beyond the Countdown Acid Rain agreement, and this action will then reflect an 80% reduction from the 1980 base levels. I can assure you we will continue to take aggressive steps to reduce sulphur dioxide, because we know it has a negative impact on our forests and our lakes.

**Mr Dunlop:** Thank you very much, Minister. I understand that acid rain is an extensive problem due to the fact that many of the repercussions associated with acid rain will persist in nature for many decades, and a full recovery takes many more years.

I'd like to ask the minister what other measures the provincial government will be pursuing to ensure that acid emission curbs are strengthened in the future.

**Hon Mrs Witmer:** We have been moving forward very aggressively this past year. As the member perhaps does know, we have announced in July of this year proposed new emission caps for the electricity sector that will reduce sulphur dioxide emissions by 25% by 2007. As of this September as well, we did issue orders to Inco and Falconbridge in Sudbury to reduce sulphur dioxide emissions by 34% by 2006. This is very important, because Inco and Falconbridge account for over 40% of all sulphur dioxide emissions in Ontario.

I am also pleased to say that tomorrow I plan to make further announcements concerning aggressive action that we plan to take regarding reduction of sulphur dioxide emissions.

1500

### ONTARIO DRUG BENEFIT PROGRAM

**Mr Ernie Parsons (Prince Edward-Hastings):** The ministers leave when I'm about to ask them the question. My question is for the Minister of Health, and he just left.

*Interjection.*

**Mr Parsons:** Thank you, Minister, you're very aware of a medical affliction called age-related macular degeneration. It strikes our seniors and virtually guarantees that they will go blind. The good news is there is a very simple, painless treatment for it that has 100% success. The bad news, Minister, is that you have refused to fund it. The previous Minister of Health, Minister Witmer, refused to fund it. Seven Ontario provinces do fund it now. You and I daily receive letters saying things like, "Will you try to help me? Time is running out for me."

These people are not wealthy; they cannot afford to keep their eyesight. They have paid taxes all their lives. They need some service, and you have stalled and stalled. Minister, will you today commit to funding the cure for macular degeneration?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for the question and thank him for his point of view on it. I can update the House on the situation.

The honourable member should perhaps add to the facts that we of course have to wait for Health Canada to go through its process to ensure that a new drug is safe and is effective in what it does. That process is now complete. We then wait for what is called the Drug Quality and Therapeutics Committee to finish its preparations and its consideration. That was just recently completed, and I can tell the honourable member that we have the issue under advisement and would like to report back to him and to this House at the earliest available opportunity.

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Parsons:** Minister, that has been approved for some time. Other provinces fund it. Every day that you stall reinforces your commitment to two-tier medicine and forces working families to have their loved ones go blind.

You need to talk to your staff, Minister. They have indicated to us that there is a red tape problem within your office as to which branch of your ministry will pay for it. They say it should be approved, but you can't decide which budget line should pay for it.

Minister, financial decisions can be backdated; blindness can't be. Will you show some leadership qualities and, today, make the decision that our seniors not go blind and you will fund their treatment?

**Hon Mr Clement:** Let me say to this House that of course we take this matter very seriously. This government has added 1,200 new medications to the formulary since we were elected. Previous governments were adept at delisting services, delisting medications from formularies. We have added 1,200 new medications to the

formulary. We are proud of our assistance to seniors and to those who are members of the Trillium drug plan, and that support will continue.

Incidentally, these are 100% provincial dollars. Not a single cent comes from the federal Liberals. Only 14 cents on the dollar comes from them when it comes to preserving and enhancing our own health care system. That's the kind of support we get from Allan Rock and the federal Liberals.

It is quite concerning to us, but we are in fact spending more and more. For six years in a row we have spent more on health care, and we have the highest budget in the history of Ontario, both generally and for the drug formulary. That is a record of which we are proud and which is known to the people of Ontario.

### BORDER SECURITY

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Economic Development and Trade. Minister, since the events of September 11, we have heard countless versions of how the border system should change. Some people recommended an updated version of the status quo, while others are recommending a complete overhaul of the border crossing system.

Our province's economy relies very heavily obviously on trade with the United States. You have said on a number of occasions that we need a border that allows easier access for legitimate people and goods. Could you please update the House on your views and what you have been hearing regarding this issue?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** This is a critical issue and one recognized by the Harris government. We can't lie back and think it's business as usual. A quote last week from US Senator Patrick Leahy of Vermont: "One of the major security issues we face involves our border with Canada."

We have recognized it. We had the New York-Ontario border summit in June. We'll have that report coming, publicly, shortly. The Premier and I met last week with Governor Pataki and other officials from New York state to talk about these issues. We are sponsoring a border forum on November 2 to discuss these issues with major players who are affected by economic transportation across the borders. The New York state government is going to mirror our round table, and we hope to, at the end of the day, have a joint report from New York state and Ontario which we can provide to our respective federal governments.

**Mr Maves:** Minister, my community is one of the busiest Canadian gateways to the United States. None of us wants the close relationship we have with them jeopardized. I understand that not everyone is onside with the idea of a secure perimeter. Could you please explain to us how the federal Liberals seem to be lagging behind everyone else on this issue?

**Hon Mr Runciman:** I think we can describe the federal approach with a range of adjectives: "curious,"

"perplexing," "worrisome," "disturbing." The US ambassador to Canada, our Premier, Mr Harris, and the Premiers of Manitoba, Quebec and British Columbia have all called for a North American security perimeter.

Instead of recognizing the economic implications of border traffic, federal officials have been suggesting that somehow a security perimeter is going to lessen sovereignty. This is an urgent, critical issue. There is a clear need for the federal government to get off the bench and into the game. Mr Chrétien, this is no time for your trademark complacency. Get into this game.

### MUNICIPAL RESTRUCTURING

**Mr Michael Prue (Beaches-East York):** I have a question for the Minister of Municipal Affairs and Housing. You have a busload of people here, Voices of Central Ontario, from your own constituency. Some 11,000 people have signed a petition and 96% of the people in your riding have voted to get their towns and villages back. Will you agree to a government-sponsored referendum and be bound by the results?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** In my area, two democratically elected councils requested that a commissioner come in and sort out what they've been talking about around restructuring for the last 25 or 30 years. If the NDP has a recommendation that, where there were 1,100 municipalities and now there are about 447, referendums decide your municipal boundaries, and one street in Toronto wants to separate from the city of Toronto, is that the NDP position now?

**Mr Prue:** Obviously you're not willing to let the people's democracy speak. I have heard from them that you have not even been willing to meet them; you've not been willing to return their phone calls. You have not been willing to be any part of their discussions in their desperate and valiant effort to save their towns and villages.

Will you at least meet with them? Will you consider their pleas, and will you give them back their towns and villages to protect their local democracy?

**Hon Mr Hodgson:** In my riding for the last 25 or 30 years they have talked about restructuring. Local governments are very, very important. I have met with the councils of the former Victoria county; I've met with the councils of Haliburton county and Peterborough county. We looked for local solutions. Haliburton and Peterborough counties chose to do that. In Victoria county, you had about two thirds who wanted to have change and one third who wanted no change. I was fine with whatever my democratically elected councillors wanted. Unfortunately, those who wanted change couldn't agree, and so two of the democratically elected local councils asked for a commissioner. The result, under Bill 26, was binding. It couldn't be forced by Queen's Park for rural Ontario.

As a result, we have a new municipal authority, the city of Kawartha Lakes. It's one tier. Under the old



system, it was two-tier. Most of the expenditures were made at the upper tier, but they were elected at the lower tier.

This is something that has its growing pains but, as I said to an earlier question, they are spending less money than before and delivering better service, and most people are trying to make it work. I understand that a lot of people are disappointed and frustrated, and it's their democratic right to express that, so I appreciate the question.

1510

## LEGISLATIVE PAGES

**The Speaker (Hon Gary Carr):** Before we begin petitions, we have a new group of pages. I'd like all the members to welcome Richie Abrich from Oak Ridges; Timothy Armstrong from Algoma-Manitoulin; Emily Baker from Hamilton West; Lisa Blenkhorn from Sarnia-Lambton; Amanda Brown from Mississauga West; Benoît Brunet-Poirier from Ottawa-Vanier; Antony Candeloro from Niagara Falls; Timothy Cuddy from Lanark-Carleton; Olivia Dennis from Scarborough East; Cherie Fawcett from Nickel Belt; Andrew Guytingco from York North; Amy Hammett from Brampton Centre; Andrew Hodes from Perth-Middlesex; Emma Kastanis from Davenport; Courtney Kiss from Prince Edward-Hastings; Katherine McCormick from Scarborough-Agincourt; Gillian Mucklow from Thunder Bay-Superior North; Gawain Tang from Brampton West-Mississauga; Chadd Vandermade from Brant; and Ben Ward from Parry Sound-Muskoka.

Please join in welcoming our new group of pages.

## PETITIONS

### MUNICIPAL RESTRUCTURING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I have a petition signed by some 12,000 residents.

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

**Mr Howard Hampton (Kenora-Rainy River):** I have a petition that has been signed by over 240 residents from Victoria county.

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

I have affixed my signature as well.

### LORD'S PRAYER

**Mr Jerry J. Ouellette (Oshawa):** I continue to receive petitions. This one reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I'm proud to support this because I believe in it.

## MUNICIPAL RESTRUCTURING

**Mr James J. Bradley (St Catharines):** My petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times;

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

I affix my signature; I'm in complete agreement.

**Mr Michael Prue (Beaches-East York):** I have a petition as well, signed by 227 people. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times;

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

I affix my signature as well.

## HIGHWAY 407

**Mr John O'Toole (Durham):** I'm pleased the Minister of Transportation is in the House today because I've received a petition with respect to Highway 407 from Bob Brown and Philip Brown, who operate the Kedron Dells Golf Course in my riding.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into the Durham region and the proposed route, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd Oshawa;"

"Whereas such routing will destroy completely five holes, and severely impact two additional holes effectively destroying the golf course as a viable and vibrant public golf course;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded, public facility patronized annually by thousands of residents," of Durham region and the GTA.

I've been to the golf course. My constituents use this course. I sign, endorse and respect this petition and present it to the Minister of Transportation here in the House today.

## MUNICIPAL RESTRUCTURING

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I have a petition to the Legislative Assembly of Ontario:

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance that is forced on the local residents."

I've also signed the petition.



1520

## MUNICIPAL RESTRUCTURING

**Ms Marilyn Churley (Toronto-Danforth):** I have a petition here, 232 signatures out of 11,000. I'm going to read it.

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

I affix my signature to this petition because I totally agree with it.

## ONTARIO PUBLIC SERVICE

**Mr Pat Hoy (Chatham-Kent Essex):** I have a petition signed by hundreds of persons from across Ontario.

"To the Legislative Assembly of Ontario,

"Whereas the November 2000 announcement of massive privatization of Ministry of Transportation services will have a significant detrimental effect on citizen road safety, confidentiality of citizens' information and on the economy of Ontario; and

"Whereas the employees of the Ministry of Transportation are recognized in writing by the provincial government to have provided excellent service on the government's behalf; and

"Whereas the government of Ontario is taking away the livelihood and decreasing the standard of living of thousands of employees and families by its actions, both directly and indirectly through spinoff effects; and

"Whereas citizens of Ontario are entitled to safe roads, consistency in driver testing, competent inspection of trucks, school buses and vehicles carrying dangerous goods; and

"Whereas communities continue to need to retain decent-paying jobs if they are to maintain viability and vibrancy; and

"Whereas we taxpayers have entrusted the provincial government with the maintenance of public safety with an apolitical and efficient public service, a service free of profiteering and protected from conflicts of interests; and

"Whereas privatization is an abdication of such public trust;

"We, the undersigned, petition the Legislative Assembly of Ontario to place a moratorium on all further privatization and to restore and promote public service as being of significant value in our society."

I, of course, have signed this petition.

## MUNICIPAL RESTRUCTURING

**Ms Shelley Martel (Nickel Belt):** The Harris government forced a restructuring in my community last year, so I understand the concerns of the folks who are here today and it's my pleasure to present this petition on their behalf. It says the following.

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promise of streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all residents."

I agree with the petitioners and I have affixed my signature to this.

## HIGHWAY 407

**Mr John O'Toole (Durham):** I'd also like to recognize the people from Victoria county. As my wife was born in Lindsay, I probably know some of them. It was a beautiful place to live and it is certainly still a beautiful place to live.

I also want to present this petition to the Legislative Assembly of Ontario, now that the Minister of Transportation is here and listening to this petition.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into the Durham region and the proposed routing, designated as the technically pre-

ferred route, will dissect the property of Kedron Dells Golf Course Ltd Oshawa,”

“Whereas such routing will destroy completely five holes, and severely impact two additional holes effectively destroying the golf course as a viable and vibrant public golf course”—I might say that the problem is that they’re landlocked;

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded, public facility patronized annually by thousands of residents”—not just of Durham region but all of the GTA and probably from the city of Lindsay and Peterborough county and the city of Kawartha Lakes.

I sign and support this in respect to my constituents.

### NURSES

**Mr Michael Gravelle (Thunder Bay-Superior North):** I have a petition to the Legislative Assembly of Ontario.

“Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

“Whereas there is a chronic nursing shortage in Ontario; and

“Whereas the Ontario government has failed to live up to its commitment to provide safe, high-quality care for patients;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

“Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions.”

I’ll be happy to sign this, and I’m handing it off to Gillian Mucklow, our new page from Thunder Bay-Superior North. We’re very proud of her in Thunder Bay. Welcome, Gillian.

### NOTICE OF DISSATISFACTION

**The Speaker (Hon Gary Carr):** Pursuant to standing order 37(a), the member for Sarnia-Lambton has given notice of her dissatisfaction with the answer to her question given by the Minister of Finance yesterday concerning the Cabinet Office costs. This matter will be debated today at 6 pm.

### ORDERS OF THE DAY

#### IMPROVING CUSTOMER SERVICE FOR ROAD USERS ACT, 2001

#### LOI DE 2001 SUR L'AMÉLIORATION DES SERVICES À LA CLIENTÈLE OFFERTS AUX USAGERS DE LA ROUTE

Mr Clark moved third reading of the following bill:

Bill 65, An Act to permit the Minister of Transportation to delegate to persons in the private sector powers and duties and responsibilities to deliver services relating to road user programs / *Projet de loi 65, Loi permettant au ministre des Transports de déléguer à des personnes du secteur privé des pouvoirs, des fonctions et des responsabilités pour fournir des services liés aux programmes à l'intention des usagers de la route.*

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House dated October 16, the remainder of this sessional day will be divided equally among all recognized parties and the question on the motion for third reading of Bill 65 will be put at 6 o'clock this evening.

**Hon Brad Clark (Minister of Transportation):** I am pleased today to rise and introduce the Improving Customer Service for Road Users Act, 2001, for third reading.

As the honourable members know, our government believes that the essential and proper role of government, for the most part, is to manage public services, rather than deliver them directly. We have worked diligently toward that goal since taking office in 1995. That role as a manager of public services included a promise to explore alternative approaches to service delivery.

It's clear that Ontarians have come to expect good services from their government. It's clear too that we have provided good services for taxpayers' dollars. Bill 65 would build on the commitment we have made to the people of Ontario. Bill 65 would ensure better customer service; the protection of privacy for all citizens of this province; and continuing support for road user safety programs in this province.

I should mention too that this bill has undergone extensive scrutiny by many parties. Concerns raised by those parties have been addressed in the bill we have before us today.

Better customer service is, and always has been, our intent. And Bill 65 would deliver on our goal to improve customer service in this province. Not only is Bill 65 about customer service, it's also about accountability. Alternative service delivery of public services is an important part of this government's commitment to accountability. It would mean continued high-quality services to Ontario's taxpayers: modern, safe, efficient and cost-effective services that continue to ensure value for taxpayer money.

The Ministry of Transportation is responding to an established need. By permitting my ministry to transfer the delivery of some road user services and programs to



other providers, this bill would improve customer service to the public. At the same time, my ministry would still be mandated under the proposed legislation to protect the public interest.

Yet, in debating this bill, we have heard the naysayers claiming that privacy would not be protected under its legislation. In fact, Bill 65 includes important provisions to protect the privacy of individuals and to safeguard the confidentiality of their personal information.

1530

Members of the opposition have suggested that personal information in databases would be at risk in the hands of the private sector. The fact is that my ministry would retain custody and control of all databases related to driver and vehicle information. For service providers, access to information would be limited. Our service providers would be allowed to see only the information required to conduct specific transactions as delegated by my ministry.

We've heard too that the public, rather than the private sector, can better protect privacy. This is not true. If passed, this legislation would ensure that privacy would be protected to the very same level under Bill 65. It specifically ensures that the Freedom of Information and Protection of Privacy Act applies to all new service providers. As a result, all applicable records would always remain under the control of my ministry. We would reinforce that commitment to privacy by requiring that our alternative service providers create the position of privacy officer within their organization. The privacy officer would be responsible for securing all customer records related to the delegated business.

I've said this before in this House and I will say it again: this legislation has received accolades from Ontario's own Information and Privacy Commissioner. In a letter to me dated June 11, 2001, the privacy commissioner states:

"The manner in which private service providers have been made subject to the Freedom of Information and Protection of Privacy Act is laudable.... This legislation, as well as the process through which privacy has been addressed, would serve as a good example to other government institutions, in the event they decide to provide services through private service providers."

How can we not feel confident about this bill when our own privacy commissioner offers such unquestioned support? Underscoring the privacy commissioner's vote of confidence, we received much additional support from other parties whose mandate it is to protect the public interest.

Yet there are those who would question the wisdom of this bill. For example, we were also asked, "Shouldn't you have been preparing for alternative service delivery before now?" The answer to that question is a most definite yes. Yes, we prepared for alternative service delivery. We hired temporary staff to handle increased workload. We opened new driver examination centres. We extended our hours of operation. We upgraded our systems, because our technology needed upgrading in the

way that all business systems and offices across this province require regular updates.

**Mr Dominic Agostino (Hamilton East):** On a point of order, Mr Speaker: As I listen to the eloquent speech of the Minister of Transportation, I'd like to ask if a quorum is present.

**The Speaker:** Would you check for a quorum, please.

**Clerk at the Table (Mr Todd Decker):** A quorum is not present, Speaker.

**The Speaker:** Call in the members.

*The Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Speaker:** Minister of Transportation.

**Hon Mr Clark:** We upgraded our systems because our technology needed upgrading in the way that all business systems in offices across this province require regular upgrades. These are required to keep pace with continuous improvements in technology and customer service standards. But the funding that was targeted to address these issues was temporary. We needed a long-term solution. Bill 65 would provide that solution.

One of the first initiatives in this proposed legislation would be the transfer of driver examinations. Yet it has been suggested that privatization would result in inconsistent delivery of those exams. It has also been suggested that the Ontario public would suddenly be inundated with a raft of service providers, all engaged in the delivery of driver examination services. This is not true. To ensure a straightforward approach and to ensure effective contract management and adherence to consistent standards, Ontario would seek one service provider to deliver driver examination services across this province.

Under this proposed legislation, my ministry would maintain a lead role in ensuring that the new service provider would fulfill its obligations as per its contract with the government. As always, the government would continue to set and enforce the standards we have established. My ministry would, through a comprehensive and thorough system of checks and balances, oversee every aspect of the service provider's operations.

From the initial contract through to service level agreements and daily operations, the service provider's work would be carefully scrutinized for consistency, fairness and adherence to its contract obligations. Taxpayers would be apprised of who is responsible for providing the services and who is accountable for their timeliness, cost and quality.

Some detractors have also suggested that driver licence testing is, by its nature, strictly a public service. The truth of the matter is that there is nothing in the concept of driver licence testing that makes it inherently a public service. Many professionals are licensed under a variety of systems, including private institutions.

We have also heard the erroneous accusation that under Bill 65, patronage would be rampant. Again, it's simply not true. Every contract awarded under Bill 65 would be awarded through an open, competitive and fair process.

To those who might suggest that privatizing road safety and driver examination services would risk safety, let the public be assured that at no time would road safety be compromised. Under new service providers, the ministry would continue to develop policies, legislation and regulations, just as it does today. We would continue to safeguard the public interest at all times, regardless of whether services are delivered by the ministry staff or other service providers.

To those who would suggest that, under alternative service delivery, the public would suddenly be faced with driver examiners who aren't qualified to do their jobs, again, it's just not true. My ministry would continue to establish standards and set curriculum as well as train the service provider's own trainers under this proposed legislation.

As for the suggestion that there would be an increased risk of more instances of fraud and corruption under alternative service delivery, it should be noted that measures are currently in place to address the issue of fraud. Those measures would not change. They would continue under any new service provider.

We would also institute a performance management system that ensures accountability. If this proposed legislation is passed, we would rigorously audit and monitor the service provider to ensure that standards are met. And, as it is dealt with today, any instances of fraud would involve a police investigation.

It was also suggested that next up for privatization would be the inspection and enforcement of standards for trucks. Nothing could be further from the truth. Let me be clear that the enforcement of standards for commercial vehicles is exempted from Bill 65. Why? Precisely because this proposed legislation focuses on improving customer service. Customer service is important, but enforcement of commercial vehicles is a completely different issue. Therefore, my ministry would continue to retain accountability for compliance and enforcement functions.

I again want to stress that if we were to transfer the delivery of services to other providers, road safety in this province would not be compromised. Indeed, the safety of all road users remains a high priority for this government and for the Ministry of Transportation. Because of the work of this government since 1995, Ontario now has the safest roads in Canada, second only to Massachusetts in all of North America. We're proud of that record, and we are working to make it even better.

A big part of delivering effective programs is ensuring quality customer service. As I have mentioned, my ministry has already made some significant customer service improvements that would address the growing population of Ontario drivers. If passed, Bill 65 would build on those improvements. It is clear that alternative service delivery of driver examination would bring innovation and greater flexibility in the way the services are delivered.

For those who might suggest that engaging a private service provider would reduce services to the public, the

answer is no. Again, by transferring the ministry's driver examination business to another service provider, my ministry would build on the customer service improvements that already have been achieved, and in fact be in a position to offer enhanced service to the public in the future.

**1540**

Under the new service delivery model, the service provider could elect to offer new value-added services to the public. It should be emphasized again that no new services would be allowed before my ministry has had an opportunity to thoroughly review and approve them.

Although the transfer would affect many ministry staff, we are confident that a new service provider would need and would want to take advantage of the considerable skills and professionalism of our existing staff. A new provider of driver examination services would need a flexible, multi-skilled workforce, people who can perform in a high-demand environment with new and changing relationships. Some have suggested that we would be dismantling a service in which vital civil service jobs would be threatened. It should be noted that job offers, as required under the collective agreements of those affected staff, are a mandatory part of any contract with a service provider, and many Ministry of Transportation driver examination staff may find job opportunities with the new employer.

As the members were advised when Bill 65 was first introduced, the proposed legislation was written to address a number of important issues such as ensuring privacy, continued high standards in road user safety, and better customer service.

As I said earlier, alternative service delivery is all about serving customers better and finding more flexible and innovative ways to deliver services. It would help us meet this growing demand in ways that are smarter and more effective. Bill 65 would bring us closer to that goal, and to that end I ask for the full support of the House.

**The Deputy Speaker (Mr Michael A. Brown):** Further debate?

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise and speak on third reading of Bill 65. As the House would know, the government invoked closure. That was done some time ago, a time allocation that ended the debate at second reading. Now they move forward with third reading and, as stated by the Speaker, there will be a vote tonight. So the government is in a mad rush to privatize these driver examination offices.

I think it's important to remind the public that the reasoning behind the government and their mode of operation has been to short-circuit the system. The government quite clearly did not provide to the employees of the Ministry of Transportation the tools in advance in order to deal with what is known as the G2 licence system. The government was warned by others five years ago that there would be an influx of those persons who have a G2 licence, that they would be coming on stream five years down the road, and they should have been prepared for that. The government should have been



prepared for this huge number of persons seeking to acquire their permanent licence.

The government not only wasn't ready and did not provide to the Ministry of Transportation employees the tools they needed to deal with this influx of persons, but they actually closed offices. They magnified the problem by closing driver examination offices in Ontario, and I can speak of my riding. They closed one in Leamington and they closed one in Ridgeway. So clearly the government has been trying to set up a crisis in order to convince the public that something needs to be done.

The government's answer in this situation, of course, is to privatize, and it is the wrong road to travel down. The government need not have embarked on this endeavour. What the government needed to do was to be prepared in the first place to provide the tools to the employees of MTO and be prepared for the number of persons who were going to be coming to their offices to upgrade and get their permanent licences.

We have been opposed to this bill from the outset; let me make that perfectly clear. I travelled, along with my friend Mr Kormos from Niagara Centre, to the minister's office to ask him and to bring to the public's attention that he should withdraw Bill 65. We also jointly had a press conference here at Queen's Park to talk about the privatization in Bill 65 and how it should not occur. We worked together in that regard. Many of my colleagues on the Liberal side of the House also staged events to bring awareness of our opposition to Bill 65. So we have been consistent in our message that this is not the road that should be travelled by the government.

The government is moving back in time over 40 years. They're moving back to a time when these offices were allowed to be private. This government which talks boldly about a future is moving back over 40 years and returning this to private hands. Back in the early 1960s, the Minister of Transportation at the time decided that, to end corruption and all manner of problems, he would take these driver licensing offices and put them into the government fold. It was a wise decision. As a matter of fact, he thought it was one of the greatest decisions he had ever made. But the neo-conservative notion is that private is better than public. That's their notion across the way. It's not one that we share at all, but the neo-conservative notion is that private is better. Here we see this government moving back in time over 40 years. They're turning the calendar back and making a wrong-headed move.

The minister talks about the fact that he would like to see that licences can be obtained in some six weeks. There is nothing in this bill that would guarantee that. Nothing at all guarantees that people would get their licence within six weeks. There's no provision for that at all. It's just wishful thinking on the minister's part. If he was truly dedicated to the notion that people should get their licences in a timely way so that they continue to go to work and drive an automobile, so that they continue to go to university and college, so that they continue to have a part-time job in order to offset those huge tuition fees

that this government has downloaded on to persons and working families in Ontario, he would have very early on made sure that driver examination offices like those in Leamington and Ridgeway stayed open, and he would have made sure that the staff had the tools to handle the G2 licence, as I mentioned previously. He would have done that long ago, but the government has mismanaged the situation.

Many of our members have spoken about the delays that occurred where people had to wait months and months and months to get their next examination date and the fact that their licence may have expired two and three and four and five months prior to that. We've spoken to that issue, the mismanagement of the Harris cabinet and the Minister of Transportation. We've spoken to the fact that these people were almost panic-stricken that they could not get their licence in a timely way in order to drive and provide for their families and, as I said, to students who are preparing to save monies to go to higher education. The list of incredible circumstances coming into my office was really quite heart-wrenching.

What happened across Ontario was that people decided they would travel from place to place trying to find a location that would take them even sooner, and that put pressures throughout Ontario. But it's interesting to note that the assistant deputy minister on September 28 of this year wrote:

"Great results

"I'm really pleased to see the tremendous improvements in all DEC's re: wait times. You and your staff are to be congratulated.

"Please pass on my sincere appreciation to them for this great effort."

It's signed by the assistant deputy minister of transportation.

So if it is the government's opinion that things were going badly, and indeed they were, the deputy minister now says that the system is improving. It's all due to government inaction in the past that it was not working well.

Not only that, but just days before we began the debate on second reading of Bill 65, we saw that the Ministry of Transportation was replacing workstations and computer equipment at all driver and vehicle licence issuing offices and driver examination centres across the province between October of this year and January 2002. Here the government is now improving workstations and computers and the tools that our public servants needed long ago; they're improving it now as they get ready to sell it off. I find this unconscionable.

Post-September 11 and the horrific events that occurred in the United States, people have magnified their opinion of the public service. They've always respected it, they've always cherished it, they've always seen a need for that. But those needs are now magnified by what we have seen occur in the United States. I think it's incumbent on the government to withdraw this bill, to simply stand up and say that turning this over to private hands is wrong-headed, it's the wrong road to travel.

1550

Private companies will be motivated solely by profit, and we have concerns that offices that exist in rural and northern Ontario may disappear because the profit levels will not be the same as they might be in urban centres. Furthermore, we are concerned that new offices in rural and northern Ontario may not be opened at all. With the government's intention to move to this privatization—down the road these companies will come back to the government once everything is in place and say, "We can't really afford to keep these offices in rural and northern Ontario open, and we need more money to operate because the bottom line to our shareholders is not looking good." Then the government will be caught in a very dangerous situation similar to selling off equipment at the Ministry of Transportation in the past. So we have grave concerns about this bill.

I just want to mention, before I let my colleagues from Essex and Eglinton north speak, that the minister talks about safeguarding information. Surely, post-September 11, the people of Ontario have a heightened awareness of protecting information that reflects on them and the dissemination of information and what it can mean to their lives and the lives of their loved ones. They know what information that is given to the broader public—for instance, through drivers' licences—about our police forces or our firefighters or our other emergency service persons, not to mention the people of my riding and the general public here in Ontario, could mean if it fell into the wrong hands.

The minister says there are safeguards. But let me say to the government that at one time the Ontario provincial savings office was thought to be sacred ground in terms of information, and some 50,000 accounts were given out to the broader public. Fifty thousand accounts were given out to the broader public. So we have no faith in the government's decision in this regard.

We reflect on Walkerton and the privatization that occurred there—very sad for the families of Walkerton, and they will suffer for years and years to come. I recently spoke to someone from Walkerton, and the situation is very sad indeed.

This government is rushing to privatize examination offices where the government themselves created the crisis. They did not deal with it in an effective way, and now they say we must sell it off.

As I mentioned before, this will be a fundraiser's delight. The companies—or company—that will take this over will come from the front rows of the government's fundraising events. And I fear that down the road they will come back to the government over not too long a time when this is all in place and say, "We need more money to service those areas of Ontario that don't have the greater populations, such as rural and northern Ontario."

The government has an opportunity this afternoon to walk into this place and say, "For the safety of our citizens and to ensure that the public service can continue to do the good work they have done in Ontario, to stay

with the times and not go back 40 years, we withdraw this bill. It's wrong." I urge the government to give that serious consideration. They still have time to do the right thing.

**Mr Rosario Marchese (Trinity-Spadina):** I welcome the good citizens of Ontario. It is about five to 4 this afternoon—when they look at those repeat programs, they will know exactly when we are talking in this assembly.

Bill 65 is about several things I want to comment on. But before I touch on some of the aspects of the bill, there are two things the Tories are good at. These people specialize, more or less, in privatizing. The other area where they're really good is beating up on certain sectors of the Ontario population because they like to do it. I want to separate the two.

First of all, on the issue of privatization, they are besotted with the idea.

*Interjection.*

**Mr Marchese:** You'll have to look that up; I don't have time to explain.

To put it differently, in a way that good Ontario citizens will understand, they just drool at the thought of privatizing anything they can get their hands on. Why do they like to do that? What is that drooling, the spittle just shooting out of their mouths with enjoyment of the fact: "Can we privatize yet something else for our buddies, for the buddies out there who come to our fundraising events?" Every time you privatize something—meaning you give away what belongs to the public—and give it to someone who's going to make money out of it, those people will be eternally grateful. They will gladly take money out of their pockets—and it won't be five bucks, but on the order of hundreds and thousands of dollars—because those who have a lot like to give a lot. God knows, they get a whole lot in return from this government.

It's a gravy train that goes two ways. It's called political patronage, something this government would never, ever do when it was in opposition. In fact, when they were in opposition, they said, "We will be pure. There will be no patronage when we are in government." God knows, they know how to give it away so easily. It's just like these short little trees with money growing on them for the picking by all the good, willing buddies they've got out there, gladly giving \$100, \$200, \$500, \$1,000 to go to their events because they love this government so much. The government gives to them, and they in return give a whole lot back.

I've got to tell you, a whole lot of people from my riding wouldn't be able to afford to go to their fundraisers, because they get so little from them. They go to Liberal fundraisers, too, by the way. I should just tell you that as an aside, Speaker, because it's the same crowd.

*Interjections.*

**Mr Marchese:** Not by much. Our fundraisers—God knows, I don't how we survive with the kind of money we charge for our events. The Liberals charge a little



less, but you're right up there. Instead of \$700 fundraisers, it's \$600 fundraisers.

But let me focus here. I want to stay focused. It's a two-way gravy train: the government gives, and the rich people give back. What puzzles me is that the honest, working taxpayers out there think this government is serving them. The paradoxical nature of the political system confuses this experienced mind. How is it that an ordinary working stiff, an ordinary taxpayer out there could believe this government is serving them and not the interests of those for whom this government wants to privatize yet another service like driver examination?

1600

They are besotted with this privatization. I can bet my boots that Mme Thatcher must have had some chat with some of these guys out there, with Harris and/or someone else, because she helped Harris and the like take compassion out of this province, just throw it out of the province. Man, did they learn so well from Mme Thatcher. They stamped out compassion really well. The other thing they're good at is beating up on, as I said, welfare. I know they like it when I mention it because every time I mention it, they say, "Right on. The taxpayers like you to say that, Marchese, because that's what we got elected on." That's what they are doing. They're beating up and privatizing. You beat someone and you privatize. It's all part of the same game.

Who are they beating up? Welfare recipients and teachers. Man, oh man, do they besmirch teachers daily, besmear, belittle, and in the process of doing that demoralize, de-spirit, dislocate and disillusion those poor teachers, to the extent that those poor teaching civil servants are so sick of it that many are leaving the profession. In these two ways they're good: you send those teachers to the abattoir on a daily basis, and you privatize as much as you possibly can so that you can enjoy the taste of those \$1,000 bills when they come to your events so you can run good campaigns.

That's what you're good at. I wanted to praise you so that the taxpayers know how good you really are on these issues. But I want to say to you, good taxpayers, those of you who earn \$40,000, \$50,000, or even more, \$56,000, that these people are not for you. Why is it that at this time this government has an interest in pressing this issue of privatizing our driver examinations? Why is it that they are doing that at this time with such great haste? What is the pressing public need to do so at this time? Why would they do that, good taxpayers all?

Think about these things. They want to privatize to help their good, dearest of friends so that they can help each other in return. It's what it's about. They had the possibility to be a government. You have the power to be government each and every day, yet you give it all away. You give it away each and every time to the private sector as if September 11 meant nothing to you. September 11 means to me that people come running back relying on government for its responsibility to protect, to serve, to give security, to be there in times of need. September 11 taught me that when there is trouble out

there, they come to government for support. But what has this government done, except to whittle it down, to reduce it to its lowest level so that it has no more significance, to demean the political process and to besmirch politicians, not just teachers but to besmirch us as well in the process? You have belittled not just teachers, but you belittle yourselves and your own role and the function of the MPP, and governance, governing and government. You have made it so that those taxpayers out there don't believe in what we do. Yet September 11 has brought to the attention of the public the need for a greater and robust role for government.

As that happens, you learn nothing from it. You have decided to forge ahead with the privatization of driver examinations at a time when there is no need except for you to accept your responsibility and fund this program adequately. If indeed people are waiting six months to get a driver's test, then it speaks to the need of government to have done something a while ago when you recognized and understood that perhaps you should be hiring more people to do this job.

Yet you, instead of being government, decide that you don't want to be a government. As a result, you happily give this responsibility away to the private sector to do this job, you argue, better, to create more and better customer services, on the notion that the private sector does it better. Yet everybody is understanding that the private sector doesn't do it better. Yes, it does it more cheaply, but that's what it's about: to do it more cheaply in order for them to make more money. But it's not cheaper for you, taxpayer. You get whacked each and every time by this government. Taxpayer, I'm talking to you. Yes, I'm talking to you; I'm not talking to them. You are the one who gets whacked each and every time a service gets privatized.

When they privatized completely Highway 407—

**Mr Garfield Dunlop (Simcoe North):** What a wonderful highway.

**Mr Marchese:** Yes, what a wonderful highway you have given away, sold, in perpetuity. You've given it away to a couple of people—where are you going? Stick around. We're enjoying ourselves.

*Interjection.*

**Mr Marchese:** OK, I'll see you there later. He's leaving. Mr Speaker, do you have a problem with him leaving? Call him back.

Highway 407, privatized eternally, given away.

**Mr Joseph Spina (Brampton Centre):** You guys created the partnership.

**Mr Marchese:** Oh, we created the partnership, but this government has taken you, taxpayers, to the cleaners. How did they do that? They privatized 407 in perpetuity, never to return to the government, as indeed was the intention, as indeed was the plan, as indeed it was then with the NDP. But under the Tories, this no longer is the case. It no longer belongs and will not belong to the citizens of Ontario; it will belong to the private sector.

What does that mean, "private sector"? It belongs to a couple of rich people who suck you dry every time you

get those wheels on to that 407. Every time you get your fat wheels or cheap wheels on the 407, there's a camera catching your little number. You get hit and whacked again and again and again. And you know that, Highway 407 drivers, because at one point the rates were this low, and wham, it got privatized a little more; it doubled, and you get hit each and every time. Why? Because Joe Spina wants to serve you better. Because Joe Spina wants to create better customer service for you. Yes, if your rates doubled in the last couple of years as a result of the complete privatization of that highway, he does so in your interests. He does it because he loves you and he wants to help you. He does it because he wants to help the private sector extract just a little more money from you and your pockets, because presumably you, Highway 407 driver, can afford to do it, can afford to pay. He wants to help you each and every day as you get on to that highway. And don't you worry when the rates are increased once again. He does it to increase the level of public service to you, driver on Highway 407.

Do you understand what I'm saying? The explanation for privatizing is because they want to create better customer service. I tell you, drawing a comparison to Highway 407, what it will mean is the user fee will be doubled, will be tripled. And who pays? You, taxpayer, pay for that; you, the taxpayer who is convinced by this government that privatizing anything the government ought to be controlling is a good thing. Yet you are the one who will eventually pay for that privatization.

**Mr Spina:** How?

**Mr Marchese:** Joe Spina asks me how. I just gave you an example, Joe. I just gave the example of Highway 407 and I said that once you privatize that highway completely and you separate your responsibilities from it, meaning you no longer have any control whatsoever, they increase the rates to any level they want. They do and they have, and you know it and everyone using that Highway 407 north of me knows it.

They have privatized our prisons—

1610

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** Tell us about Teranet. Tell us about the land registry system that you privatized.

**Mr Marchese:** David knows and he understands these things, David from Dufferin-Peel. He knows that when you privatize those prisons—

**Mr Tilson:** You privatized the land registry system.

**Mr Marchese:** Let me finish this, David, and then you—

*Interjection.*

**Mr Marchese:** David is having an exchange with me, Speaker, and that's OK. I don't mind. It's participatory democracy in this place, and I like it. I want to talk to him. I want to say to him that they have privatized our prison system.

I say to you, taxpayers, it was with your money that we built those prisons, and that same public investment is then given away to the private sector on the basis that they do it better. But this government has given away a

public institution that was ours, that we built with your money. Now that public institution, paid for with your money, is going to the private sector. A couple of rich guys are going to make money out of it.

That's what it's about. It's about making sure that they constantly feed their friends with patronage so that their provincial Conservative political coffers are always filled so that they can run election campaigns with the grease that it takes to run them effectively. As if it were not enough, they use public dollars to inform you of what they are doing on a regular basis.

This was the government that was not going to spend money in such a manner because they, oh yes, decried so much what New Democrats did in their four and a half years. This government, the Conservative government, would be loath to do such a thing and would not be captured at any time doing what other, previous governments have done.

Now you have M. Flaherty defending Madame Ecker and my other buddy, Minister Tsubouchi from Markham, defending why it is that the good citizens of Ontario need to be informed. It wasn't OK for the NDP to inform the public, no. It was not OK for M. Peterson at the time to have informed the public, no. But it is OK for M. Harris to inform the public, because presumably the information we get from Harris is good and what they got from the NDP, and the Liberals before us, was bad. Do you follow the logic? It's simple, you see. It's not so very complicated, is it?

**Mr Spina:** You did the same thing when you were in government.

**Mr Marchese:** But it's what I just said, Joe. I said that we were in government and we spent money to inform the public. But when Harris was right here, Harris said he wouldn't do that, he would not get involved in such political engagement of informing the public in the way New Democrats did. That's what he said. It's not just he who said that; all the other Conservative members who were right here said they wouldn't do it. They get into government and they spend on a regular basis as if they were besotted.

They spend your money, taxpayers, to inform you, alas, differently than the way the NDP did. Alas, they would not give in to political patronage, presumably like other political parties did. Yet this is the government that, on a daily basis, gives the whole shop to their buddies, appoints to each board, agency and commission every living, breathing Tory who lives and breathes Tory politics. They're in those boards, agencies and commissions—filled with them. But that would not be political patronage, would it? Oh, no. Yes, they would be very able people, wouldn't they? Unlike previous appointments, Tory appointments are based on merit, I would presume.

You see the game? It's too funny, tragically funny, to talk about, but I've got to tell you, taxpayers, because otherwise you may not get it. I'm here to help demystify these paradoxes, these little mysteries that take place in this assembly.



Routine driver licence issuing offices: yes, they've been in private hands in many of the cases, but they will privatize that whole shop. Why do they want to privatize this whole shop? Why do they want to give the database that collects driver information on every driver away to some private firm—from the US, yet—which should be in the hands of the government to control so that you're not giving away something that holds private information about individuals, about their health, anything pertaining to their private lives? It will be given away to the private sector, managed by some US firm. Why would you do that?

At a time when people are looking for security and they're looking for governments to protect information that protects them, in such a climate, why would these Tories give away such data to a private firm from the US? What does September 11 mean to you and what does this talk of security mean to these Tories, when here is an example of something the government ought to be controlling and they're giving it away?

They're saying to you, all taxpayers, "Don't worry. Your information will be protected." Whose word do you have? The Tories', who don't want to be a government, who came here not to govern but to be the non-government government. Do you believe them?

How can you believe a group of people that comes here not to govern but to be the non-government government? Whom do you believe? Surely you would believe a group of people if they said, "We have an obligation to govern and to be government and we respect the institution and we will hold in our hands that which should be in public hands." They're giving it away. Whom do you believe?

I don't believe them. You have Mr Long, who was recently quoted. You remember the fellow who ran for the Alliance and did so poorly. He's got some advice for the leadership campaigners. His advice to the leadership-aspiring bright lights is that they should move in this direction of privatization steadfastly, not to waver—privatize, privatize, privatize—because that's what they are good at. They specialize in that, and Mr Long, oh boy, does he specialize really, really well in this field.

One of the things he says to the Tories is, "Continue with the privatizing of our health care system," because that presumably, good taxpayers, is good for you too. He's saying to the Tories, "Privatize more and more of our health care system because that is in the public interest." You taxpayers, seniors and all, will be better protected by a two-tier health care system than the current one" that is desperately holding to the public system as much as it can.

This government has moved the privatizing of our health care system from 28% to 35%, and it's continuing. Mr Long, the former Alliance hopeful, is saying to this government, "Continue to privatize the health care system more and more and faster and faster."

I wonder whether the new leadership is keen on that, given that a whole lot of Ontarians are not happy with where this government is going, has been and wants to

take us. I know most of you taxpayers are sick and tired of this government, you're sick and tired of this privatization, you're sick and tired of this group that wants this government to privatize more and more.

1620

Yes, they help each other; yes, they love each other; yes, they feed each other as they get the corporate tax cut, as they deregulate our labour laws, minimize, diminish, make labour laws disappear so that the private sector, the corporate sector, can flourish and make more money. As you do that, they give you back their love with a whole heap of money so you can run your campaigns more effectively the next time around. But the taxpayers, ordinary men and women, are sick and tired of it. That's why New Democrats unequivocally oppose Bill 65 and say to the taxpayers, "Call your political MPPs, your members. Tell them what you think."

I think if you follow this debate in this chamber you will have learned enough to know that privatizing driver examinations, giving away our database that controls all the information around all drivers in Ontario and giving away the routine driver licence issuing offices to the private sector completely cannot be in the public interest. There is even no public pressing need to do so at this time, at this time or any time. It is a duty of the government to protect you, and it's the duty of this government to make sure those offices run well. If the money isn't there, they've got to put it back. You can do so by telling this government that the corporate tax cuts, according to one economist, cumulatively have meant that we have \$27 billion less in our provincial coffers than before, and \$8 billion less cumulatively for individual corporate taxes, the combination of which means that you have drained this province—drained it. There is no more water in that tank, drained to the extent that we have no more money to do anything with.

I tell you, when Flaherty comes back in the next little while with his budget, that billion bucks he's got stashed away—I hope he stashed away a few more dollars, because that billion he's got stashed away is not going to last more than a couple of weeks or a couple of months. When that billion is gone, good taxpayers of Ontario, they're going to cut so deep in our health care system, our educational system, our social services that benefit seniors in particular, our labour laws, our environmental laws, that if you believe they have altered Ontario in unrecognizable ways so far, when these Tories get to you in the second round, should, God forbid, we be into a deep recession—if you believe you don't recognize Ontario now, it will be completely unrecognizable in the next year or so unless this government somehow pulls the reins back on these crazy corporate tax cuts that you have given to people who don't need them and have taken literally from the mouths of children as a result of doing that to make those who are already wealthy wealthier. What an irresponsible act of a non-government government.

How can you taxpayers believe these people? How can you continue to support them? I say to you, visit their

offices and talk to them about these bills. Call us. Talk to us if you don't want to talk to them. Let us know what you think. More particularly, let these Tories know what you think.

**Mrs Julia Munro (York North):** I take great pleasure in rising in the House today to support third reading of Bill 65, the Improving Customer Service for Road Users Act, 2001. This is an excellent opportunity to focus on the benefits that would accrue from this proposed legislation, should it be passed. It is clear that if passed, Bill 65 would lead to important improvements in the way customer services are delivered to the public across Ontario. The bill underscores the promise this government delivered in our 1999 Blueprint document and which was repeated in this year's speech from the throne. It was a promise to explore alternative approaches to service delivery. Without question, if this proposed legislation is passed, it would enable our government to deliver better service to Ontarians, reinforce their privacy rights and ensure our continued commitment to road user safety.

Our government is working hard to implement Bill 65, to ensure that Ontarians may benefit from it as quickly as possible. Since the introduction of alternative service delivery by the Minister of Transportation, feedback on its contents has been received from various sources. We can feel confident that all input received has been given full consideration. We listened and responded to concerns. As a result, the proposed legislation we have before us for third reading reflects those concerns.

This is a bill that is strong and focused. It reflects our intent to provide better customer service to Ontarians, ensuring that their rights to privacy are protected and upholding our commitment to ongoing road user safety. With this proposed legislation, the bottom line is quite simply that we're finding the ways and means to better serve the Ontario public. That is what alternative service delivery is about: providing better customer service to the people of Ontario.

We are working to build a better Ontario transportation system for the future. It will be a system that is part of a national transportation network that is cost-effective, safe and efficient. Alternative service delivery builds on that premise. If passed, this proposed legislation would ensure many benefits. That is true, and yet the promise of alternative service delivery continues to be challenged by those who would question its benefits in making our excellent standard of customer service even better. For instance, there have been suggestions that, based on operational efficiencies, driver examinations should remain under the aegis of the public sector. Yet it is also true and must be acknowledged that the private sector drives innovation in this province. Clearly, the private sector is the driving force behind business efficiencies. Nobody knows better than our private sector businesses how to run a business efficiently. If passed into legislation, Bill 65 would empower the private sector to deliver these services with efficiency and innovation. In short, far from reducing the efficiency of service delivery, the engagement of our private sector in the delivery of these services would in fact build on it.

Much has changed in terms of driver licensing standards since the days of the learner's permit, or the 365, so many years ago. In those days, a novice driver might obtain a learner's permit and look forward to getting their licence quickly, sometimes on the same day. That has changed with the introduction of graduated licensing. With graduated licensing, Ontario's novice drivers undergo a much more rigorous two-step licensing process which includes two road tests. It is an approach to licensing drivers that is saving lives, and it is a great success story.

But while our licensing requirements have changed a great deal over the years, our driver examination services have not kept pace with the times. Ontario has more than eight million licensed drivers in this province, and thousands more receive new licences each year. The demand for driver testing services in Ontario will continue to grow as our population increases, thanks to the successful economic growth in this province.

#### 1630

The Ministry of Transportation has made some significant customer service improvements to address the growing population of drivers in this province.

Members will recall that in 1999 the then Minister of Transportation brought in several measures to address customer service problems at provincial driver examination centres. Under this initiative, the ministry hired more than 300 driver examination staff on a temporary basis. It also opened temporary driver testing facilities and expanded the hours of a number of provincial testing centres. As a result, more road tests were offered and the average waiting time across the province for driver examinations was reduced. If passed, this legislation would build on that work.

Bill 65 supports the Ministry of Transportation's intention to find a new service provider for driver examination services. Under this proposed legislation, the work would eventually be moved to a new service provider. Ontario would be able to enhance and build on the significant customer service improvements in driver examination services that have already been made.

As members will know, Ontario is committed to the highest level of customer service possible in all facets of its operations. By engaging the private sector in the delivery of driver examination services, the government will continue to maintain, even exceed, those high standards for excellence in customer service.

Reaching that goal would mean finding the right service provider for the job. In order to ensure the selection of the right organization to undertake this important task, the ministry would establish an open, competitive process.

Before earning the right to deliver driver examination services in Ontario, a successful bidder would be required to prove its capability in a number of areas. The process would demand that all candidates for this role meet a very specific, predetermined set of criteria.

If this bill passes, only pre-screened, qualified candidates will be able to proceed to the next level, in which



they would be able to bid for the right to deliver driver examination services.

Upon choosing a successful candidate, the ministry would develop a detailed service delivery contract with the winning bidder.

**Mr Agostino:** On a point of order, Mr Speaker: I want to try and help my colleagues across the floor get more of their members interested in this. Can you check if we have a quorum?

**The Deputy Speaker:** Is there a quorum present?

**Clerk at the Table:** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for York North.

**Mrs Munro:** Upon choosing a successful candidate, the ministry would develop a detailed service delivery contract with the winning bidder. Let me reiterate that great care would be taken to ensure that the selection process would have only one possible outcome. That outcome would be safe, effective, high-quality service delivery by one service provider.

Yet this bill has its detractors. There are some serious allegations that need to be addressed. For example, some would suggest that putting driver examinations into the hands of the private sector would remove the government's quality control of the testing process. This is simply not true. Under new service providers, the Ministry of Transportation would continue to be accountable for road user services and programs. The ministry would continue to develop policies, legislation and regulations in the same way it does today. If this legislation is passed, the Ministry of Transportation would continue to safeguard the public interest at all times, regardless of whether services are delivered by the Ministry of Transportation staff or other service providers. The ministry would maintain a complete overview of service providers and their functions, ensuring that they meet all legislative and contractual obligations. The Ministry of Transportation would continue to establish standards, set curriculum and train the service providers' trainers.

Some critics have also suggested that this proposed legislation is nothing more than a job-slashing exercise. The truth is that the goal of transferring service delivery to other providers would improve customer service. It would allow for greater innovation and flexibility in service delivery. And it would support the government's commitment to be a manager rather than a delivery agent of services to the Ontario public.

While it is understood that the outcome of Bill 65 could affect a large number of ministry staff, new service providers would require well-trained and dedicated employees. These employees may well be within the ranks of the Ministry of Transportation's workforce. Job offers, as required under the collective agreement, would be a mandatory part of any new contract with a new service provider. It is anticipated that many Ministry of Transportation driver examination staff would find job oppor-

tunities with the new employer. To that end, the Ministry of Transportation is following its obligations as set out in the collective agreement with the bargaining agents regarding the rights and entitlements of affected staff.

Another issue that has been raised is the question of the ministry's rural clients and the suggestion that they would lose access to service. Again, not true. The transfer of driver examinations would ensure that drivers in both rural and urban areas would have access to driver examination services within six weeks or less everywhere in Ontario. The Ministry of Transportation currently provides driver examination services in 92 communities throughout Ontario, at 55 driver examination centres and 37 travel points. If this legislation is passed, under a new service provider this government would continue to provide services in those communities. This would not change, except for the potential for improved services in many communities.

1640

It has also been said that the customer service would suffer under this legislation. The fact is that the goal of this whole initiative is to improve customer service. Alternative service delivery would have to sustain the significant customer service improvements we have already achieved while supporting greater innovation in service delivery. If passed, this legislation would build significantly on those measures introduced two years ago to improve customer service and reduce road test waiting times.

The people of Ontario simply cannot lose with alternative service delivery, because the whole point of this proposed legislation would be the provision of better customer service. If this bill is passed, resulting in a new provider of driver examination services, the service delivery contract with the ministry would contain measurable objectives and clear milestones for customer service improvements. The goal here would be improved customer service, benefiting the people of Ontario. Others have already spoken to the bill's benefits with respect to enhancing our government's accountability to the people of this province. From my perspective, Bill 65's intent is to bring better, more efficient and cost-effective services to the people of Ontario.

Every one of us here has an obligation to support measures that will result in better service to the public. Under this bill, the ministry would continue to set the standard for improved customer service, and it would give the private sector an opportunity to use its flexibility and innovation to deliver key driver examination services to the public. As I said earlier, the Ministry of Transportation staff, resources and expertise should be used to manage services rather than deliver them directly. That is the whole purpose of the bill we have before us today.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Mr Speaker, on a point of order: Is there a quorum present?

**The Deputy Speaker:** Is there a quorum present?

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Mr Speaker.

**The Deputy Speaker:** Call in the members. This will be a five-minute bell.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for York North.

**Mrs Munro:** If this bill is passed, new service providers would work closely with the ministry to deliver the best possible driver examination and other driver services province-wide.

The Ministry of Transportation would continue to manage and supervise the delivery of these services and would ensure that new service providers adhere to a performance management system that maintains this commitment to excellence. In this way, the public would see better, more cost-effective services and the ministry would be able to focus on its proper role of service management.

I believe all members of the House should join me in supporting this bill. This proposed legislation is designed to build on the steady progress we have made to keep Ontario strong and growing. If passed, this bill will improve customer service across this province by enhancing the services we offer to people.

I invite all other members to pledge their support for this proposed legislation.

**Mr Bruce Crozier (Essex):** When I first started to listen to the member for York North I thought, "If that member puts forward a compelling argument about this bill, I'm willing to support it." But try as she did, it just didn't do it so I'm not going to be able to support the bill.

I would like, though, to comment on it. I know the member said on several occasions that if this bill passes, how good things are going to get. I'll comment on the first part. This bill will pass. Those citizens of Ontario who may be watching today can be assured of that because the government simply has more numbers than we do. But will service be improved? That is the question.

There was a minister in the House earlier today—he's still about, I think—who has heard probably oftentimes and probably too many times of a quote he made, and that was that to get things done you have to create a crisis. If you want to get things done your way, you have to create a crisis so that people get up in arms and then you can attempt to solve the problem. There has been in the not-too-distant past—

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** On a point of order, Mr Speaker: Is there a quorum present?

**The Deputy Speaker:** Is there a quorum present?

**Clerk at the Table:** A quorum is present, Speaker.

**The Deputy Speaker:** The member for Essex.

**Mr Crozier:** I know the minister just wanted to interrupt my flow.

**Hon Mr Sterling:** Oh, I wouldn't do that.

**Mr Crozier:** No. I was talking about other areas where a crisis has been created. In the not-too-distant past things weren't so great in the driver examination area in particular in this province because the govern-

ment didn't heed the word they had heard from many quarters in the province, that the graduated licensing system was arriving at maturity, at its fifth year, and that there was going to be a great demand on the system. We had long waiting periods.

**Hon Mr Sterling:** On a point of order, Mr Speaker: Is a quorum present?

**The Deputy Speaker:** Is there a quorum present?

**Clerk at the Table:** A quorum is not present, Speaker.

**The Deputy Speaker:** Call in the members. This will be a five-minute bell.

*The Deputy Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for Essex.

**Mr Crozier:** I was just telling the minister that I thank him for asking for these quorum calls because I think, first, that what we have to say in here is important, and second, I was required to go for 18 minutes and I really only have 14 minutes of material, so as the clock clicks off it will help me.

There were long waiting lines—you can tell by this prepared text, Minister, that I can keep my place as I go along. As the member who spoke previous to me said, the ministry did hire a number of examiners and it has improved, but they still didn't quite do enough. So they have come along and said, "Well, we're going to improve service by sending it to the private sector."

1650

I don't know that there's any guarantee in this legislation that service will be improved. I say to my constituents, who are mainly small urban and rural, that I am afraid service is going to get even worse. I don't know whether the private sector is going to be able to hire all the inspectors we now have. We have well-qualified inspectors. I don't know whether the private sector is going to hire them. I fear they won't, because not only is this a cost-cutting effort by the government, and nothing more than that in my view, but I suspect that in the private sector, when you have to reach that bottom line, when you have to make a profit on this, there are going to be some cost-cutting measures as well. I don't think rural Ontario is going to benefit from this at all.

My colleague from Chatham-Kent Essex mentioned when he was speaking that back in the 1960s it was decided there were a number of reasons why the government should be responsible for this service and why they took it on and became accountable for it.

I can recall when I took my driver's test. At that time, all you had to do was drive around the block—literally that. I paid my two bucks—goodness knows, the cost of a driver's test has gone up considerably since then.

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** There were only 28 cars on the road.

**Mr Crozier:** I paid my two bucks, drove around the block and got my driver's licence. The only fear then was that you might have to park. As one of my colleagues



over there has just alluded to, there were only 28 cars in the province, so there weren't too many on the street that day to bother me. But I remember that well, and some of the folks in my home town will recognize this: we came up Fox Street, made a right-hand turn and there was a traffic signal there and a traffic signal down at the corner of Mill and Erie. I remember the examiner chiding me because I wasn't going fast enough; I was going very cautiously. He said, "You know, if I wasn't with you, you would have been past that traffic signal at the corner of Mill and Erie."

What they tried to do was bring some professionalism to it since the 1960s, and I think they've done that. We have a very professional driver examination system today, albeit not without its problems. But these problems were within the purview of this government to have solved by now, and they haven't done it. They've decided to go the private sector route. So I say again that I'm really concerned that rural Ontario and small urban Ontario will not be well served by this legislation.

I want to speak briefly on, and to re-emphasize, our concern about the privacy issues—yes, the privacy commissioner has commented on this. We thought the provincial savings office information was well protected, and look what happened to it. This government let that information, private information on individuals, go holus-bolus. They turned it over to the private sector in order to carry out some obligation they were concerned about at the time. Private information from 50,000 accounts in the provincial savings office got out into the private sector. There's no guarantee this won't happen again.

I suggest there is some information they will be privy to that should be kept even more private than the Province of Ontario Savings Office information was. There will be health information on these records, and there is no way that anything in the realm of information about my health, your health, Speaker, or the health anyone in this Legislature or in the province should go to the private sector.

That goes to the heart of what government's responsibility is. There are some things that government should be responsible for, and I think this is one of them. Yet this legislation, in the explanatory notes, points out this can even be subtle. In other words, the minister can delegate the responsibility for, in this case, driver examination and that delegate can subdelegate it. So how can you ever go back to the government and make them accountable for some information that may not be used properly? Go to the minister? If once this is delegated and subdelegated, a problem comes to us at our constituency office, we'll go to the Minister of Transportation to complain about it, and he'll say, "It's not my job. Not only have I distanced myself from it, but I have even double-distanced myself from it." How is the minister going to have any control over that? I suggest that the more it's delegated, the more you lose any control that you might have over it.

It says here, "Delegates and subdelegates are not agents of the crown. The crown is not liable for any act

or failure to act by a delegate or subdelegate." Well, today the crown is responsible. Before this bill is passed and receives royal assent and is enacted, the government is responsible. But the minister, in having this legislation drafted, has been very careful, folks, to say to you that he or she, the minister of the day, is not liable for any act or any failure to act by a delegate or subdelegate. If that isn't simply abdicating responsibility, I don't know what is. That's another concern I have with this legislation.

There's some reference made to fees, that the government will have control over fees. But experience tells us that what will probably happen, and what I predict will happen—let me put it that way: I'll go on record as saying I predict that this will happen—is that after a period of time this private sector company is going to come to the government and say, "We really can't make a profit at this. We're either going to have to get out of the business or you're going to have to help us by increasing fees." And they're going to be able to show that; I don't doubt in the least that they'll be able to show that they need an increase in fees. Much like the situation with Highway 407, which has also been referred to in debate today, much like that situation, the fees are going to climb and climb and climb. Again, if we go to the government of the day, they're going to say, "Well, we want to provide the right service and we want the right service provider to be in place, but this private sector provider has to make a profit, you know." So the logical event that will follow that will be increases in the fees that are charged.

I want to refer to something the Provincial Auditor said with respect to privatization of government services. The Conservative government has repeatedly praised the cost savings that it achieved by privatizing highways and privatizing highway maintenance in particular. But in the 1999 report of the Provincial Auditor he showed that privatization has not saved any money and "may ultimately result in significant increases in the cost of highway maintenance." So if we use that as an example of what might happen, then we can logically think that these examination costs are going to increase significantly.

I wonder too where the incentive is for the private sector provider in this case, where that incentive is to do its very best to have the persons being tested, tested fairly. I only suggest that it might be—because not everybody is honest beyond a doubt—that a failure rate of a certain percentage might be factored into the bottom line of this private sector provider to say, "If we provide a failure rate of X per cent, what really happens is that money comes right back into our pocket."

1700

I even had it suggested to me, with the system that we have in place where the government is accountable today, that the way it's operated now is a government money-grab. I don't believe that to be the case, because in those instances where I've gone back to the supervisor of a driver examination—frankly, I've never attempted to nor would I want to go back to the actual examiner, because they are professionals and I think they approach their

position that way. But when I go to the supervisor and say, "There is some question by this constituent that perhaps their driver test was not administered fairly," the supervisor, without hesitation, goes back and looks at that test and either comes back to me and suggests that it was administered fairly and that there were reasons why the result wasn't what the constituent wanted, or in fact, in a number of cases, goes back to the constituent and explains it to them. I don't think we're going to have that kind of contact. I don't think we're going to have that kind of reaction.

As I said earlier, if I go to the minister: "It's not my job. It's the delegate's job or it's the subdelegate's job to explain that. I can't interfere, can't do anything about it, can't check it out." If I go to the private sector, I'm just as liable to be told, "Look, this is a business. We know how to run this business and we're not about to help you out, either."

So that's something I'm going to keep an eye on very closely. I'm going to want to know and want to determine as this goes on that examinations are administered fairly and that I can explain to a constituent or have it explained to that constituent why the examination may not have gone just the way they had hoped.

In fact, I can say with the professional service that we have today that we run into instances where we need their help, where there may be a particular emergency where someone needs a driver test. Since I'm in government and that inspector works for the government, we get co-operation where they are able on occasion to help us out. I don't know whether we're going to get that with the private sector. Again, it's going to come down to dollars and cents, and they're no doubt going to apply that rule to whether they can help or not. I don't think I'm speaking out of line, but there even has been occasion where the flexibility that they were able to help us with has led to an examination that was given either at a certain time or in a certain place. So to suggest, as some of the discussion has, and I think the minister spoke of this, that they'll be able to work longer hours and give better service that way, I don't think that's the case at all.

I think that if this government managed the licensing in this province properly, they would have been able, up to now, to serve us very well. I see this need to hand it over to the private sector under the guise of better service as just an admission by this government that they weren't able to manage it. You know, they tout themselves as being the great managers. If you're the great managers you're supposed to be, why then couldn't you get this part of your responsibility in order? Why is it that you have to throw your hands up and hand it over to the private sector?

There have been some suggestions made today why that is. My colleague from Trinity-Spadina suggested that it may be a case where the more you put into the private sector, the more you can then get from the private sector, as a government, because they're beholden to you. If there's any place in the service that should be provided by the government, that shouldn't be beholden to any-

body, that should be administered fairly, it's this: driver testing. We know it goes well beyond that; that this is, in all likelihood, only the beginning.

It very well may be—because this legislation doesn't prevent it—that the enforcement of equipment standards for vehicles, including lights, brakes, safe tires and road-worthiness, particularly commercial vehicles, may be doled out to the private sector. It may be that enforcing additional safety standards for school buses, motor-coaches and vehicles that transport the physically disabled may be at some point handed off to the private sector. It may be that the enforcement for maintenance requirements will be offloaded to the private sector. The enforcement for hours of work and the requirements of commercial motor vehicle operators may be foisted off to the private sector.

I'm not sure at all that the direction of this piece of legislation is for the benefit of the citizens of Ontario. This bill will pass, but we will watch very closely what the results of it are.

**Mr Dunlop:** I'm pleased to rise today in the House to offer my support for third reading of Bill 65, the Improving Customer Service for Road Users Act, 2001. First of all, I'd like to congratulate Minister Clark and the parliamentary assistant, Ms Munro, for their comments on behalf of our government today. I want to congratulate the minister for bringing forth this legislation. I think it is long overdue, and it is important legislation for our province.

As members of the House know, this proposed legislation, if passed, would allow the delivery of some Ministry of Transportation services by another service provider.

Bill 65 was developed in order to fulfill a promise this government made to the people of Ontario. It was a promise made in our Common Sense Revolution and Blueprint. That promise was to ensure a smaller and more efficient government. I am pleased to say this legislation, if passed, would help make that promise a reality. Bill 65 is designed to improve customer service without compromising safety. If passed, this legislation would give the Ministry of Transportation the authority to transfer the delivery of some road user programs and services to other providers. This legislation would ensure the Minister of Transportation's continuing lead role in safeguarding and protecting the public's interest. If passed, Bill 65 would lead to significant improvements in the delivery of customer services to the Ontario public.

Without question, if Bill 65 is passed, this government would continue to do the following: focus on setting quality standards; effectively manage, rather than deliver, services; and it would monitor and rigorously audit service providers to ensure that they comply with their legislative and contractual obligations.

Better customer service is what Bill 65 is all about. It is important that this bill is passed so that all Ontarians may realize the benefits as quickly as possible.

1710

At the same time, it is important to acknowledge that since alternative service delivery was first introduced in



this House, it was significantly changed to reflect the feedback that was received from various sources. That was part of the process of putting together a bill that reflects the comments and concerns of all parties involved. In the process, it underscored the government's commitment to listen to the citizens of our province. The bill we have before us for third reading addresses these concerns. In fact, it is in the best interests of the people of Ontario to move this legislation forward so that its benefits can be felt as quickly as possible. In addition to providing better customer service, Bill 65, if passed, would continue to vigorously maintain the privacy so important to our citizens. Bill 65 would ensure a continued commitment to road user safety in our province.

Members of this House know that the Ministry of Transportation currently provides driver examinations and a range of related services. But the ministry also recognized the need for change in order to maintain its higher standards of customer service delivery. For this government, keeping pace with change has meant making the right decisions, and in some cases they've been tough decisions. Since 1995, we have put the right economic building blocks in place, with sound financial management and a competitive economy that stresses job creation and investment. Our economy has grown by almost 25% since 1995. More than 550,000—

**Mr Hoy:** On a point of order, Mr Speaker: I wonder if a quorum is present.

**The Deputy Speaker:** Is there a quorum present?

**Clerk Assistant:** A quorum is not present, Speaker.

**The Deputy Speaker:** Call in the members. This will be up to a five-minute bell.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for Simcoe North.

**Mr Dunlop:** Our economy has grown by almost 25% since 1995. That translates into more than 550,000 new jobs that were created in Ontario between 1998 and 2000. That's the best pace of job growth in the history of our province. Certainly, this government paid attention to maintaining and improving our transportation infrastructure, which is key to our growth. Our first-class highway system is a cornerstone of our economy and handles more than \$1 trillion in goods every year. That translates into \$2.7 billion a day.

I think it's fairly safe to say, when you drive around the province, that you see a number of transports on our roads. We continue to invest in Ontario's transportation system to make it safer and more efficient to get goods across our province and to our international trading partners.

For example, by the end of this year, the Harris government will have invested more than \$6 billion in high-way capital programs, a level unprecedented in Ontario's history. No matter what political party you're from or what level of government, I think you'll all agree that we've seen some amazing construction projects in all parts of our province over the last six years.

This government is working to integrate transportation, infrastructure, planning and investment to ensure a strong economy, strong communities, job creation and a healthy environment for future generations. It's an approach that would ensure continued prosperity for the province, and it underscores our efforts to foster an economic climate that is conducive to continued growth.

Continued growth means keeping the province on track to achieve its goals. Doing better than before—and continuing to apply excellent standards of service—is what alternative service delivery is all about.

It should be emphasized that, if passed, this legislation would ensure that road safety would not be compromised. MTO would continue to safeguard the public interest by regularly monitoring and auditing new service providers to ensure that they comply with all legislative and contractual obligations. Alternative service delivery would reinforce and build on that commitment. And while there might be some opposition to the benefits of alternative service delivery, I can say that Bill 65 would make Ontario's excellent standard for customer service even better.

Of course, not everybody is in favour of legislation that would build on our record for safety, customer service and transportation excellence. There are those who oppose the legislation simply because they don't want to believe in its benefits. For example, there are those who would insist that personal information in databases would be at risk in the hands of the private sector. We've heard some of those comments earlier today. The truth is that MTO would retain custody and control of all databases related to driver and vehicle information. Service providers would only have access to limited information, in other words, only the information required to conduct specific transactions as delegated by the Ministry of Transportation.

There was also a suggestion that the public sector would offer better privacy protection than the private sector. Clearly, the answer to that is no. If passed, Bill 65 would provide privacy protection to the same level that we have today. All applicable records would remain under the control of the Ministry of Transportation.

Some have also said that if passed, Bill 65 would result in the inconsistent delivery of driver exams. Again, the answer to that is no. If this proposed legislation is passed, the Ministry of Transportation would ensure a consistent approach, effective contract management and adherence to consistent standards across our province. That's why the ministry would seek a single service provider to deliver driver examination services across our province. And if the bill is passed, MTO would oversee all of the service provider's operations.

Through a comprehensive system of checks and balances, the ministry would ensure that this new provider would fulfill all of its obligations, as laid out in its contract, to the citizens of our province.

For those who would suggest that fees would suddenly skyrocket, again, not true. This government will continue to set fees for regulated services just as it has done in the past.

An opposing point also states that privatizing road safety and driver examination services risks the safety of the citizens of our province. I can tell you that this government has made road user safety a major priority. That is why Ontario is in the number one spot in Canada in road safety and number two—only behind Massachusetts—in all of North America. This government will continue to build on that record, and alternative service delivery would ensure that road safety is not compromised.

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Under new service providers, MTO would continue to develop policies, legislation and regulations on road safety, just exactly as it does today. The public's interest would continue to be safeguarded at all times, regardless of whether services are delivered by MTO staff or by other service providers.

Others have said, again without regard to the bill's inherent, clear and unquestionable benefits, that alternative service delivery risks privacy. Let's make it clear that there is absolutely no risk to privacy under this proposed legislation. The fact that Bill 65 has received accolades from Ontario's own Information and Privacy Commissioner speaks clearly of its intent to uphold and protect the public's interest. To that end, if passed, Bill 65 would require new service providers to abide by the provisions of the Freedom of Information and Protection of Privacy Act, ensuring the continued protection of privacy for all Ontarians. Personal information would be governed by this proposed legislation. Contracts between this government and new service providers would require the signing of a confidentiality agreement by each and every employee of the service provider.

To those who might suggest that this legislation would open up the possibility of corruption and fraud, this is just not true. Measures are currently in place to address the issue of fraud. Those measures would not change. They would continue under any new service provider.

Under the proposed legislation, the Ministry of Transportation would also institute a performance management system to ensure accountability. MTO would audit and monitor the service provider to ensure that standards are met and, as is the case today, any instances of fraud or corruption would involve a comprehensive and thorough police investigation.

It is clear that, if passed, Bill 65 would have many practical benefits. It would enhance efficiencies, reduce waiting times and build on the long-term effectiveness of customer service delivery in our province. Alternative service delivery would help sustain the significant customer service improvements we have already achieved, and it would support even greater innovation in service delivery that would only serve to benefit the people of our province.

As others have pointed out, this initiative would build on measures announced in the fall of 1999 to improve customer service and reduce road test waiting times. Without a doubt, Ontarians would not lose with alternative service delivery. In a phrase, its direction and

intent are all about better customer service. Some might argue with that, but you will hear no arguments from me on making improvements to customer service delivery to the people of our province. Clearly this proposed legislation would, if passed, enhance government accountability, boost our safety record and ensure greater privacy. All told, Bill 65 would bring better, more efficient and cost-effective services to the people of our province.

With the passage of this legislation, new service providers would work closely with the ministry to deliver top-level driver examination and other services across our province. The Ministry of Transportation would continue to manage and supervise the delivery of these services and, as I mentioned earlier, ensure that new service providers adhere to a performance management system that maintains its commitment to excellence. The end result would be more efficient and cost-effective services for the Ontario public, and the Ministry of Transportation would be able to focus on its proper role of service management rather than service delivery.

I believe that all members of the House should join me in supporting this bill today. Like so many other changes we have seen over the years, the proposed legislation, if passed, would build on the steady progress we have made to keep Ontario strong and growing.

I just want to say in closing that there has been a lot of discussion here this afternoon about the private sector being involved in the Ministry of Transportation. I think we have to go back possibly 20 years to the Bill Davis government, and the Peterson government, the Rae government and the Harris government have all used the private sector in road maintenance. We have a number of contracts out today. Certainly I can remember back 20 years ago, when they first started using private companies to plow roads, to sand the roads, and it's worked very well over the years. We've built on that. We've used the private sector very efficiently, just as we have done with road construction. All road construction in the province, all the bridges we build, the miles and miles of asphalt, the \$6 billion in road construction we've committed to over the past six years, has all been done by the private sector. They've done a wonderful job. The words "private sector" are not dirty words on this side of the House. We look at the private sector as one that can deliver cost-efficient services, often very comparable and sometimes even better than what the government can provide.

With that, I want to ask all members in this House to join with me today in supporting third reading of this bill. It's important legislation for the citizens of our province and for the Ministry of Transportation. I would ask everyone to join me when this bill comes up for the vote.

**Mr Mike Colle (Eglinton-Lawrence):** I'm here to speak to Bill 65, privatizing road safety. This is another attempt by this government to basically do something that nobody asked for. I was just wondering how many citizens of Ontario asked for driver testing to be privatized. I certainly didn't get any calls or visits from



people in my riding asking for privatization. People phoned and contacted my constituency office, Eglinton-Lawrence, asking for a more efficient and timely delivery of testing. I think that was as a result of this government's cutbacks, where they didn't have enough people employed providing service to Ontario citizens. Out of that lack of good management, they've come up with this bill to privatize road-testing services.

I think it's a demonstration that this government is looking at legislation in their rear-view mirror. Since the horrific tragedies of September 11, the public has realized that essential government services are indispensable, whether it be our firefighters, our police forces, our port authorities or our postal workers. We take essential government service for granted. I know this government was on the neo-con mantra of privatizing, privatizing, privatizing. It's really yesterday's view of the world. I think the citizens of Ontario are no different from citizens all across North America who are saying that they want excellence in public service and that they want it efficiently and effectively, but they want it to be in the public domain.

As you know, there's a debate in the United States right now about the inspectors and baggage handlers and personnel at the airports. A lot of these are privatized in the United States. Many congressmen of both parties, Republicans and Democrats, are saying, "We want to federalize those employees at our airports." They were hiring these inspectors at airports who had criminal records. The private companies, which were basically trying to get minimum-wage employees, were hiring people off the streets who had no qualifications.

That's hopefully a lesson people will come to appreciate. But this government, as I said, is behind in terms of understanding the different dynamics in North America today, where people want government to take a role in ensuring that people who have vital services to give are under federal or provincial auspices, that their records are checked, that they're people of high moral standing and that they're people who have good qualifications and training.

These fly-by-night private companies that come in are going to come in for driver testing. Who knows what they'll do for training or what kind of monitoring they'll do. You know that the bottom line there is not service or protecting the public. The bottom line is making a profit. If they can make a better profit by cutting down on training, they'll do that.

That's the risk we're facing with bills like this Bill 65, that there is a risk for the public in terms of something as important as driver training and testing. We have our young daughters and sons who go for this and we want to make sure that the people on the roads are tested by professionals who have the objective of providing a very comprehensive test, a test that's not dictated by bottom-line profits.

This is a government continuing on a road that is really fraught with a lot of sometimes unnecessary expenses. As you know, the Provincial Auditor said that

with the road maintenance on our highways, when it was given out to friends of the government, basically it saved no money. They transferred the service to private companies and the Provincial Auditor said in his report that this practice of privatizing road maintenance on our highways has saved no money. Why do they do it? What was the rationale for doing it?

1730

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker, with respect to the member who has the floor: he has just impugned the motive of government by suggesting that we give out, to our friends—

**The Deputy Speaker:** The member for Eglinton-Lawrence.

**Mr Colle:** All the people of Ontario have to do is look at—there's a Professor MacDermid at York University who has catalogued all the political donations to this party. You'll see that this government has got about 90% of its contributions from these corporations. That is really beyond belief. As Professor MacDermid says, if you want to find out what legislation this government puts forth—

*Interjections.*

**The Deputy Speaker:** The member for Eglinton-Lawrence has the floor. One member has the floor at a time. That is how this place works. Try to remember that.

**Mr Colle:** I guess, Mr Speaker, I struck a nerve when I talked about what motivates this government to introduce legislation. As I was saying, if you look at the very well documented work of Professor MacDermid at York University, it will show you that if you follow the money, the millions of dollars this government has gotten into its political coffers, you'll see a connection between what legislation they pass and what money they got. It's documented over and over again by Professor MacDermid. As you go to his Web site, you'll see that if you want to follow the money, you'll find out what motivates this government.

In terms of following the money, I would ask that the public out there follow the money on Highway 407. This is a highway built by public tax dollars, built by the hard blood, sweat and tears of Ontario taxpayers, by the government. What the government did to build up their treasury to make it look good before the last election was to sell off one of these most important assets, Highway 407, which was supposed to have been a source of revenue for government for the next 100 years. What did they go and do to reward somebody who was very influential, I guess, in their government circles? They sold off an asset like that for basically a song.

They sold off the 407 to a Spanish consortium. Now the Spanish consortium for the next 100 years will rake in millions of dollars a day from Ontario taxpayers who are on the 407, paying those tolls, which are about the highest tolls in North America for a highway, and those people who are paying the tolls on the 407 paid for the 407 with their tax dollars. So they're getting hit twice: tax dollars to build the 407, and every time they ride the

407 they pay off their friends who got the contract, this Spanish consortium that came from nowhere, and this government gave the highway away to them.

You can imagine how many billions of dollars Ontario taxpayers could have gotten if they had kept the highway in the public domain. Instead, just like this Bill 65, you wonder what motivated the Harris government to give away that asset to the Spanish consortium. How did that happen and what are the cost-benefits of giving that highway away to this consortium, basically for a song? You know what really irritates the people in the GTA? They for the most part can't afford to ride on the Spanish giveaway highway, the 407, because the tolls are so high. They're forced to go into gridlock on Highway 401, gridlock on Highway 7, because the Spanish consortium, friend of this government, is charging exorbitant tolls for the taxpayers to ride a public highway that they privatized and sold off to their friends. To me, that's a perfect example of how this government does not appreciate public assets and the value they bring into the public treasury.

So if you want to talk about the rationale and how this government takes money out of the pockets of Ontario taxpayers, Highway 407 will be a monument to this government and how it operates. I tell people, "Every time you pay a toll on the 407, just think that that was your highway and now you are paying good money to go into the coffers of some Spanish consortium." That is wrong, because public assets not only provide a public service, like driver testing, but also are a way of ensuring that the people of Ontario have an asset they can use. These highways or these road contracts are things that should be in the public domain if they are run efficiently by the public service and if you ensure the public service is doing a good job. Rather than throwing the baby out with the bathwater—what this government does at any opportunity, when they see a problem with the public service, is sell it off to some private consortium, at every opportunity.

There are probably people across the northern part of the GTA, spewing all kinds of fumes and carbon dioxide, all kinds of smog, because they're bumper to bumper on the 401. You know why? Because the trucks, for instance, in this province can't afford to pay the hostage fee to go on the 407. The trucking firms can't afford to pay the exorbitant fees that this Spanish consortium that got the highway from this government for a song is charging Ontario truckers. So the truckers, who are trying to make a living, are stuck bumper to bumper on the 401 as we speak. You just try and get along the 401 right now—you can't. Meanwhile, if you go up to the 407, you can sail clear across the 407, but when you go on the 407 you have to pay an arm and a leg.

Then you know what happens? My good friend the member from Sudbury, Rick Bartolucci, will tell you that if you have a bill from the 407 consortium, the friends of this government, that Spanish consortium, and you try to pay that bill on the phone, you can't get through.

**Mr Michael Gravelle (Thunder Bay-Superior North):** It's a mess.

**Mr Colle:** It's a disaster. They don't hire enough people to even help you pay your bill. So do you know what they do? If you don't pay your bill, they can stop you from getting your licence renewed. What a giveaway to this Spanish consortium. They're acting like an agent for this private consortium to prohibit you as an Ontario taxpayer from getting your licence back because you missed a bill payment on the 407 that you couldn't pay because you couldn't get through their answering system. Talk about disgraceful; talk about disgusting. There is an example again: 407 and the millions of dollars that pour out of Canada, out of Ontario, into some fat-cat Spanish consortium that this government has given away the store to.

That is why we have to be very careful when we look at bills like Bill 65. It's not the bill by itself, but if you add all these bills up to what they've done, they've sold off the heritage of a lot of our young people. And they've sold it off for the short-term fix. They don't think of the fact that a highway like 407—those tolls could have been helping to build hospitals, helping to build schools. They could have been doing all good things with that money. Instead, every red cent goes to Spain. What we're doing is helping who knows what in Spain. We can't even afford to provide textbooks in our schools. Our emergency rooms here in Toronto are packed to where men and women sometimes have to share the same room in emergency hospitals. That money that went to the 407 and is going daily, as we speak—I've been up speaking for 10 minutes, and we probably gave away half a million dollars to the Spanish consortium. That half a million dollars in 10 minutes could certainly hire a lot of good doctors and a lot of good nurses. Those are the mistakes this government makes because it has got blinkers on, it has tunnel vision, and all they see at the end of that tunnel is a way of pleasing their friends.

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They don't think of the hard-working Ontario citizen taxpayer, working families who have to try and make ends meet to pay user fees at schools now, user fees for all kinds of medical services that our seniors pay. This government never stops to talk to ordinary people at the supermarket, talk to ordinary people who are trying to walk an extra block or two because the milk is five cents cheaper down the street. Those are the people who can't afford to pay for basic services, and this government tries essentially to put them off and marginalize those working people and just take care of the elite few in this province. Their corporate friends are doing quite well, but small business is not doing well in this province, and working people are not doing well because they're not getting good services from a government that basically is more interested in a straitjacket political agenda than looking at ordinary, hard-working Ontarians who want to raise a family, who pay their taxes, who are good citizens and care about this province and this country.

**Mr David Christopherson (Hamilton West):** I appreciate this opportunity to join the debate on Bill 65.

At the outset, I'd like to just add to what my friend and colleague from Eglinton-Lawrence raised with re-



gard to the sale of the 407, because he makes excellent points. There's another aspect to this that needs to be put on the public record, and that is: for a government that likes to portray itself as, "Oh, such wonderful fiscal managers," and "Oh, so responsible with the public purse," the reality is that the money derived from the sale of Highway 407 was added as a current-year revenue for the government books—lo and behold—in the year we went into an election. They sold a capital resource that you can only sell once and took the profit—by the way, that was derived because of the way the NDP structured the development, the partnership and ultimately the operation under our plans—you took that profit that belonged to the public, took all of it in one year and added it to your current revenue figures so that you could project a rosier picture in the upcoming year, heading into an election. Talk about shameful.

In addition to everything else the member from Eglinton-Lawrence has raised, you also did that. And now, when we're facing revenue losses to the extent that we are, that stands out as an even greater stark difference between what you say and what you do.

**Mrs Marland:** How about GO Transit?

**Mr Christopherson:** If my friend from Mississauga South would allow me, I'd like to continue.

**Mrs Marland:** But tell us about selling the GO trains.

**Mr Christopherson:** We'll talk about that another time, Margaret. Today we're going to talk about this.

Bill 65: let me say that this is a major reversal for the Conservatives in Ontario. It was in or around 1961 when a former Progressive Conservative government—interesting, Progressive Conservative, the forward-backward party that takes us back 40 years—when the government of the day—real Tories—took this whole business out of the private sector and brought it into the public domain. Why? Because there were concerns at the time over the very issues we've raised in this House time and time again. That's what happened: 40 years ago it was in the private sector, and it was taken out of the private sector by a former Tory government and brought into the public domain because there were concerns of corruption and fraud and other wrongdoing. Now the forward-backward party of Mike Harris et al is taking us back to the bad old times and indeed opens up all those negative possibilities. Why? So that you can benefit your friends. I agree; I heard my friend Mr Spina heckling a little earlier about a public process. But the difference is, when everybody who's in the line contributes to your political party, it really doesn't matter to you which one wins, and you can afford—and I'm sure you do—to run a very above-board process. But at the end of the day, it's the private sector and those who own those private sector entities, who I'm willing to bet in one way or another make contributions to this party that's in power now, who will be the benefactors.

This government loves to talk, again, about how good they are at managing things. Boy, it'll be interesting to watch that unravel over the next few months. Sad, I must say, for the people who are affected in Ontario, but in the

context of this place, interesting as a case study in saying one thing and doing another, because you say that you manage things in the interests of the majority of people, yet the majority of people lose under your economic policies, and a very small portion of the population wins, and they win big-time.

One of the reasons that you're going to privatize is because of the absolute mismanagement, on the part of this government, of the whole issue of driver testing. You've been in power now for six long, long years, and you have failed to come to grips with the fact that the licensing process in Ontario has changed and as a result we needed an even greater investment in driver licence testing. But because you won't spend a dime on public services—to pay for your tax cuts, which benefit a very small percentage of the population—we now have waiting lists that are up over half a year long.

One way out of this, rather than breaking your Holy Grail rule of not reinvesting in the government of Ontario and providing the people with services, is that you're going to sell the problem off and let somebody else worry about it. How are they going to handle it? They're going to handle it through user fees. You don't want to face the political heat for spending money—reinvesting, we in the NDP would call it—on public sector services, so you're going to let the private sector not only make money, but they can take the political heat for you, can't they? Because somebody has to deal with it. You can't continue to have backed-up waiting lists of over half a year in something as important as drivers' licences, particularly when my friend from Hamilton, the member from Stoney Creek, the current Minister of Transportation, talks—rightly, I would emphasize—about the importance of our transportation system. But you're going to let somebody else worry about that. You want to get that off your backs.

It has been raised in this House before, about user fees. You love user fees. Of course, those who have the bucks can afford to pay the user fees, and if you don't, well, you sort of get left behind, somewhere in the shadows in Mike Harris's Ontario. Right in the preamble, in the explanatory note, you state, "The minister may establish fees not authorized by any other act or regulation and may authorize the delegate"—because you're going to delegate this down to the private sector—"in the delegation agreement, to charge those fees to the public." The public would pay for this one way or another. The difference is whether we all pay a little to maintain a responsible, quality driver testing system or whether we hand it off to the private sector where your friends can make a pile of money and charge whatever fees they want—we've seen that with Highway 407—and if you're an Ontarian who can't afford that, too bad, you just don't matter in Mike Harris's Ontario.

**1750**

Another aspect that needs to be brought out is that each and every time this government privatizes, they talk about the money that's going to be saved. When you privatize something—and I've made this argument be-

fore—you don't create some new race of workers. You don't go somewhere and find robots that suddenly come in and do the work and replace the people who did it before. You've still got the same workers from Ontario who will come in and do the job. The difference, in large part, is how much they make. We know this government can't stand the fact that somebody should make decent money when there's profit to be made by paying them less—unless, of course, we're talking MPP wages. Then we want to make sure everybody is paid what they're worth. You buy into that concept for us, but you don't buy into it for anyone else.

The whole idea is to sell it off to the private sector, and where's this money going to be found? Not in some magical, new, efficient way of doing business, although I'm sure there are always improvements that can be made in the way anything is structured, whether it's private or public. The real money is going to be made by the private sector. Let's not forget you've already helped out those future owners, those friends of yours, with Bill 7, where you said that for any service in Ontario that's public and is privatized, the union doesn't go with them. It's not like that in the private sector. If a corporation is sold and there's an existing collective agreement, the rights, the wages, the pensions and the benefits in that collective agreement go with the corporation. But public sector workers, the enemy of the Harris government, don't have that right.

In this case, the only thing those workers can hope for is some of the victories their union, OPSEU, won for them by fighting all the way to an arbitrator. One clause in their collective agreement provides some protection. But at the end of the day, it probably won't provide total protection.

We're talking about 900 people. You're so quick to provide corporate tax cuts. You say that will stimulate the economy and get people spending money. Here we have 900 people, who are making at least half-decent wages with half-decent benefits. You're going to put them out of work and have them replaced by people being paid, what, 20%, 30%, 40%, 50% less than the people who were there before? How does that help our economy? Sure, it helps that corporation, that business that buys the service. But at some point the profits made there go right out of Ontario and, indeed, often go right out of Canada. Those 900 workers spend their money in Ontario. They spend it in their communities—in my case, they spend it in Hamilton—and other small businesses benefit. That makes economic sense. It sure makes economic sense to those 900 workers and their families.

Our caucus has talked about cutting the provincial sales tax to stimulate the economy, because we're talking about and recognizing that ordinary working people and their families help the economy when they spend money. This takes us in the opposite direction. How does eliminating good-paying jobs and replacing them with minimum wage jobs help the economy? What are you going to do for those 900 workers who will be put out of work in the midst of a horrible recession? I didn't hear any of

the government backbenchers talk about that today. They didn't talk about those families. They didn't talk about how they're going to buy winter clothes for their kids this winter. How are they going to make their mortgage payments or pay their rent? How are they going to put food on the table? Is that not your concern at all? Do you not have some responsibility somewhere in your heart for the people who are going to lose their jobs?

And what about the public service that we're talking about? Again, you want to talk bottom line. What about the integrity of the driver's licence testing program itself? It's important to us. You know, all it takes is one bad driver to cross a line on a highway and a family's wiped out. And when you pay people peanuts, you're not going to get professional performance. So it makes good public sense from a public safety point of view.

The Solicitor General should have been on his feet in this House, or more importantly, in cabinet, saying, "This isn't good for public safety," because you are not going to get the kind of quality, high-calibre workers when you pay minimum wage. It's not going to happen. Those people who have those skills are going to go elsewhere.

It's going to end up being treated much like the concerns we all now have over airport security. I've raised this in another context. There's real concern over the fact that airport security is performed by people who are paid close to minimum wage, barely a little more, and yet look at the responsibility we place on them, the importance of the job they do. All of that's wiped out when you privatize the way you're going to here.

What happened to the party and the government that cared about public safety? Where are your comments on that today? Let's see, we've talked about the decimation of people's economic future in terms of 900 people and their families. None of you commented on that. There ought to be a legitimate concern on that side of the House about the calibre and quality of the people who will be performing this important public service vis-à-vis public safety. Not a word from you about that. All the things that matter to the majority of people, you never talk about. Oh, a little bit of rhetoric here and there, but you never really address it head on.

In the few moments that I have left, I want to talk about the concern about access to the databases. It's been referred to by friends earlier. We've got a court case going on in the province of Quebec right now where an employee of a private sector entity had access and accessed the provincial records, and that information found its way to an outlaw motorcycle gang. As a result, a high-profile, respected journalist in the province of Quebec was almost assassinated.

There are medical records attached to driver's licence information. You're supposed to care about that. You're supposed to care about our personal medical information. There's not one of you on that side of the House who wants to put your entire medical history on the floor of this Legislature, nor should you be asked to. You're entitled to have that personal information protected by law.



**Mr Bert Johnson (Perth-Middlesex):** No.

**Mr Christopherson:** I hear Mr Johnson saying no. I'm not sure which part of what I said he's saying no to, but I suspect—

**Mr Johnson:** All of it.

**Mr Christopherson:** All of it. Well, that figures. That truly figures. I suppose, then, before the week is out, to prove me wrong, the honourable member from Perth-Middlesex will be tabling his entire historical medical records to show that this is a totally moot point that I'm raising. It's not going to happen.

The fact of the matter is that nobody should be expected to, and people have a right to have their medical information protected. When you make this information available outside of government protection, you leave all of us vulnerable. None of you talked about that. All you talked about was that money was going to be saved. You didn't say where it was coming from; you just said it was going to be saved. That's the difficulty. When you rip off the bumper sticker sloganism and take a look at what's really going on, Ontarians get hurt.

1800

So let me summarize the three main issues that I've raised here in the last two minutes that I have:

(1) You're going to privatize, and you're going to save money how? Not because you're going to do things better but because the people who perform that work will be paid significantly less.

(2) You've mismanaged that whole department so badly that it takes over half a year to get an appointment to have a driver's licence test, and rather than adequately dealing with that legitimate public service problem, you're just going to wipe it right off your slate and hand it off to somebody else who is then going to raise the cost through user fees and screw all those hundreds of thousands of Ontarians yet again.

You talk a great record on public safety. My friend Mr Kormos is here. He can talk better than anyone in this place about what happened with the Victims' Bill of Rights, when you talked about caring about public safety and caring about victims and at the end of the day marched in government lawyers to argue that Ontarians didn't have those rights. The judge said shameful things about the way you approached victims in this province. You treated them worse than any government in the history of Ontario, the exact opposite of what you said.

This bill is absolutely no different. You say that it's going to make for a better driver testing system. It is not. It's going to put decently paid jobs out the window, it's going to increase costs to Ontarians, and you're going to put the lives of Ontarians at risk because we won't have the kind of dedicated, experienced individuals that we now have performing this service. Shame on you once again.

**The Deputy Speaker:** Pursuant to the order of the House, I'm now required to place the question.

Mr Clark has moved third reading of Bill 65. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

I have received from the chief government whip a letter asking that the vote be deferred until October 24, 2001, during routine proceedings.

## ADJOURNMENT DEBATE

**The Deputy Speaker (Mr Michael A. Brown):** Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made. The member for Sarnia-Lambton has given notice of dissatisfaction with the answer to a question given by the Minister of Finance. The member has up to five minutes to debate the matter, and the parliamentary assistant and/or minister may reply for up to five minutes.

## GOVERNMENT SPENDING

**Ms Caroline Di Cocco (Sarnia-Lambton):** Yesterday during question period I asked the Honourable Mr Flaherty about Cabinet Office and Cabinet Office expenses. His response unfortunately really did not even address the question. He commented and he said, "As the member will know," and he talks about the Common Sense Revolution and about the size of the Ontario public service that has been reduced dramatically since 1995. He did not respond to the point I was trying to address yesterday, which was that Cabinet Office has increased 116% from 1995. Also in his response, he commented: "If the concern is to have more detail with respect to line-by-line budgeting of Cabinet Office, that can be obtained."

That wasn't the point. The point is that Cabinet Office expenses have increased dramatically; every other sector in the province has not. The aspect that really is remarkable is the salaries and wages, which have increased from \$3.45 million in 1995 to \$8 million by the time we got to 1999-2000—this is just salaries and wages—and in 2000-01 they're over \$10 million.

I'd like to remind the minister what Cabinet Office does, because he didn't seem to understand—

**Interjection:** What do they do, Ms Di Cocco?

**Ms Di Cocco:** Well, they're the "central agency that supports the Premier, cabinet and its committees," it says, "in their efforts to set the broad direction of priorities of the government in the determination of this legislative program. It also coordinates the government's policy initiatives and provides support to the Premier and cabinet on order-in-council appointments, the Premier's correspondence, freedom of information requests and other administrative issues."

It's not that the mandate of Cabinet Office has changed; it's just that the cost has dramatically increased by 116%. This is a government that seems to constantly wave about the concept of smaller government, leaner

government. In this case, definitely as their own figures show, that's not so.

This week, last week and the week before, they fired scientists and closed down a specialized unit at London Health Sciences Centre. In Sarnia-Lambton they have denied a program for children and youth who are at risk. It's the family support system of the St Clair Child and Youth Service. They have denied them funding.

The answer from the minister yesterday was totally inadequate—

**Interjection:** Totally.

**Ms Di Cocco:** Absolutely, because he says in here, "I'm sure the honourable member is concerned about saving money in government ... that there has been substantial downsizing of the Ontario public service, but the level of performance," the standards of performance, are up.

That's not the question. The question has to do with Cabinet Office. The salaries and wages in Cabinet Office have increased and, again, the minister could not provide to this Legislature yesterday a response that was even adequate. I believe the people of Ontario have a right to know and understand why we have that increase. That

was the question. Take a look at the Ministry of the Environment, which has been cut. Its operational funds have been cut by 40%. The students in this province don't have enough books. Yet this is one sector that has increased. Cabinet Office has increased by 116%. I look forward to some response.

There being neither the Minister of Finance nor the parliamentary assistant to the Minister of Finance—

**Ms Marilyn Mushinski (Scarborough Centre):** Mr Speaker, if I may, it is my understanding that the question was asked to the Minister of Finance as the Deputy Premier, and I am the parliamentary assistant to the Premier.

**The Deputy Speaker:** The form we received clearly said the question was asked of the Minister of Finance. Therefore, it needs to be the Minister of Finance or the parliamentary assistant to the Minister of Finance who replies.

There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 6:45 of the clock.

*The House adjourned at 1811.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 23 October 2001

Mardi 23 octobre 2001



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 23 October 2001

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 23 octobre 2001

*The House met at 1845.*

## ORDERS OF THE DAY

### BROWNFIELDS STATUTE LAW AMENDMENT ACT, 2001

### LOI DE 2001 MODIFIANT DES LOIS EN CE QUI CONCERNE LES FRICHES CONTAMINÉES

Mr Hodgson moved third reading of the following bill:

Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters / Projet de loi 56, Loi visant à encourager la revitalisation des terrains contaminés et apportant d'autres modifications se rapportant à des questions environnementales.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I'll be sharing my time with the member from Etobicoke-Lakeshore and the member from Parry Sound-Muskoka.

It is my great pleasure to rise today to speak to an important piece of legislation that will help to foster clean, healthy and dynamic communities in this province by encouraging the environmental cleanup and revitalization of lands known as brownfields.

The Brownfields Statute Law Amendment Act, 2001, is a key element in this government's encompassing commitment to reasoned, thoughtful growth and development in the province of Ontario. This proposed legislation is a kick-start for the environmental cleanup and renewal of brownfields, former industrial or commercial sites that can be found in virtually every community throughout Ontario.

I know that many members of this House share this government's conviction that the revitalization of the province's brownfields is vital to the future development of our communities.

The time is right to move forward on this legislation. We have consulted extensively with stakeholders throughout Ontario—more than 50 submissions from municipalities, financial institutions and key players in the development industry—and we have amended our originally proposed legislation to reflect much of that ongoing input.

As honourable members are aware, brownfields are usually located in an urban core, close to municipal

services and transportation links. As such, brownfields sites represent an enormous untapped resource. Facilitating their development encourages efficient and effective use of existing municipal infrastructure, services and resources.

Brownfields exist in many communities throughout Ontario, often on lands that previously housed chemical plants, dry-cleaning stores, gas stations, railway yards or factories. These properties are usually located close to existing urban services and community transportation. Because of that, brownfields offer tremendous environmental, economic, social and fiscal benefits to communities that choose to redevelop them.

As they are cleaned and redeveloped, and as people once again choose to live and work and re-energize the area, there can be enormous economic and social gains to the whole community. Cleaning up and redeveloping brownfields can also offer help to preserve our vital green spaces and farmlands for all the people of this province.

I believe that the most exciting aspect of cleaning up these contaminated lands is not just that it will benefit communities today but that it will be of enormous benefit for generations to come. By bringing these old industrial and commercial sites back to life, communities have a unique opportunity to improve their quality of life, to protect the environment, to attract new business, new developments and jobs.

We have done our homework and we have taken the time we needed to ensure that we are striking the right balance with this legislation. We have heard from experts throughout Ontario during extensive consultations over a two-year period. We've also received advice from a panel of brownfields experts and we have continued to welcome comments and advice as this bill proceeds.

**1850**

The brownfields advisory panel chair, Blake Hutcheson, president of CB Richard Ellis in Canada, says this legislation supports the recommendations of the panel. If I may quote Blake, he says, "We believe this legislation will be good for Ontario, as it is both well thought out and balanced."

In subsequent consultations, we heard from a wide variety of stakeholders like Luciano Piccioni, the city of Hamilton's brownfields coordinator, who said, "Innovation is the key to brownfields. Municipalities need to be more proactive and be prepared to take some risks in order to get properties cleaned up and redeveloped. This legislation will allow municipalities to take these risks with greater peace of mind."



He noted that the two-year municipal grace period of liability protection when a tax sale fails is not enough to secure the site, do an environmental assessment, undertake the cleanup or not, issue and administer a request for proposal, choose a developer and negotiate an agreement. We listened to that concern and we responded. We have increased the liability protection from two to five years for lenders as well as for municipalities.

A submission from the Canadian Bankers Association noted that lenders are pleased that "explicit recognition has been given to the unique positions of secured creditors, receivers and trustees." That recognition is essential to the success of any brownfields project, and we will continue to work with the CBA as we continue to develop regulations in support of Bill 56.

And finally, a colourful endorsement from Mitchell Fasken, president of Jannock Properties and chair of the Urban Development Institute's contaminated land sub-committee, who says, "Bill 56 is a great piece of legislation that will kick-start brownfield redevelopment in Ontario. Fear of environmental liability is the 'dog that bites' when it comes to brownfields redevelopment. This legislation goes a long way toward muzzling that dog."

It's encouraging to hear these endorsements. I believe it demonstrates that we're on the right track, it demonstrates that we're willing to listen and it demonstrates that we respond to legitimate concerns by those who will be most involved in implementing this legislation across Ontario.

Today we have an opportunity to move ahead with progressive, forward-thinking legislation that will benefit all Ontario communities. The Brownfields Statute Law Amendment Act, 2001, if passed, will assist brownfields redevelopment in several key areas:

First, this legislation would set out clear rules for the cleanup of contaminated brownfield sites to ensure that environmental standards are met and public health protected.

It would also provide liability protection from future environmental orders for municipalities, lenders, owners and developers involved with brownfield properties.

Finally, it would streamline planning processes to expedite brownfield projects, and help municipalities provide financial support for cleanup costs.

Cleaning up brownfields improves our soil and water quality and protects human health. By encouraging redevelopment of brownfields, the legislation fosters clean, healthy, dynamic neighbourhoods and communities that all Ontarians want and deserve.

Brownfield redevelopment supports more efficient use of existing infrastructure and services like sewers and public transportation, relieving pressure to expand on farmland or greenfield sites. However, the tremendous benefits that brownfields offer are not being realized today, because it can be difficult to clean up and redevelop these sites under the current legislative framework. The proposed legislation and subsequent regulations will set out an environmentally responsible approach for cleaning up brownfields, while maintaining the Ministry

of the Environment's powers to issue orders to address an environmental emergency.

The Brownfields Statute Law Amendment Act, 2001, provides clarity and certainty for those involved in brownfields redevelopment: municipalities, developers and secured creditors. It addresses a number of specific issues now faced by those who would bring new life to these lands. For example, the act provides clear rules for cleanup through mandatory site assessment and cleanup, if required, of industrial and commercial sites being redeveloped into sensitive land uses such as residential and parkland; giving standards for contaminant levels in soil and groundwater the force of law; and prescribing how site assessment is to be carried out.

Clear rules for environmental liability by providing protection from future environmental orders: for example, for municipalities when taking action for the purposes of tax sales or actions related to other municipal responsibilities; secured creditors when taking action to protect interest in a property; persons conducting environmental investigations; and owners who follow the prescribed site assessment and cleanup process, including using a certified site cleanup professional and mandatory reporting to the public site registry, and who can certify that the property meets the contaminant standards for the proposed land use.

Ensuring quality cleanup and accountability: through sign-off by qualified persons, mandatory certification of site assessment professionals, and mandatory reporting of site assessment and cleanup to a public registry.

The proposed legislative changes do not in any way alter the Ministry of the Environment's powers to issue orders to address significant environmental contamination or to take strong action against polluters.

There may be some who question the need for this legislation. After all, brownfield redevelopment is already occurring in many municipalities in Ontario today, and my ministry is front and centre in highlighting these pioneering efforts through the ministry's brownfields showcase. But at present the process can be complex, difficult and very frustrating.

I believe that we are missing many incredible opportunities to develop our urban centres; without this legislation, we will undoubtedly miss countless more opportunities. Developers, municipalities and investors have all let us know their concerns with the process as it stands today. They have told us that the need for reform in the legislation is absolutely critical if we are going to make environmental and economic progress with these sites.

The Brownfields Statute Law Amendment Act, 2001, is designed to remove the key obstacles to cleaning up and recycling these valuable resources. It will help us foster the clean, vibrant, dynamic neighbourhoods that communities right across Ontario want.

It will help us curb urban sprawl and preserve our green spaces and farmland. It will help communities make more efficient use of existing infrastructure—like roads, sewers and schools—so that they don't have to

extend expensive new services into new areas. And it will help communities improve their quality of life, be more competitive and attract new businesses and jobs. In essence, it will help communities grow more wisely and efficiently.

The proposed legislation is good for the environment and it is good for human health. It allows for well-managed growth and it encourages local economic development and revitalizes our communities.

If enacted, this proposed brownfields legislation will form an important part of the government's overall Smart Growth initiative. As members know, Ontario's Smart Growth vision is about managing our continued economic growth in a way that makes sure we have a healthy environment and a good quality of life. It's about giving people choices, no matter where they live in Ontario. And it's about ensuring we have the infrastructure to allow for those choices.

Smart Growth is also about encouraging sound community development. Cleaning up and reusing brownfields will help us create the conditions for continued growth that benefits our environment, our economy and our communities.

Smart Growth is a government priority. It is our government's strategy for promoting and managing growth in ways that build a strong economy, strong communities and a healthy, clean environment. Making Smart Growth work will require collaborating and forming partnerships, integrating decisions on development, infrastructure and the environment, and making certain those decisions are fiscally sound.

Growth is essential. It generates jobs and improves our quality of life. It contributes to the sustainability of our health care system and our social safety net.

The government has just completed a round of broad consultations with the public and key stakeholders. We are very pleased with some of the innovative ideas that have been generated to support a successful made-in-Ontario Smart Growth strategy.

One theme in particular that emerged from the consultations is that Smart Growth must deal with the very different realities and growth challenges facing different parts of the province. Participants told us, loud and clear, that a one-size-fits-all solution will not do in Ontario.

I recently released a document called *Listening to Ontario*, which sums up what we heard in this round of consultations. It's an important step forward in the development of our Smart Growth strategy for Ontario. I think it's important to note that during our consultations, we heard many fine examples of Smart Growth in action. In fact, we heard that in many communities throughout Ontario, Smart Growth is already underway, offering local solutions to local challenges.

Perhaps the most encouraging indicator from the consultations was the willingness of community leaders across Ontario to work together with the provincial and federal governments to realize many of the goals and opportunities that will be made possible by a made-in-Ontario Smart Growth strategy.

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I'm very pleased to report that the results of the consultations thus far have been very encouraging. The issues and ideas that have been raised clearly demonstrate a growing and strong commitment to encouraging the principles of Smart Growth. Brownfields redevelopment has been a cornerstone of those ideas.

We will take those views and incorporate them as a key component of our Smart Growth action plan. Ultimately, the issues and the ideas raised through consultation processes will help build a sound future for Ontario, and I am certain that many of the innovative ideas and approaches we have heard will help to shape our province in the decades to come.

It is for this reason that I encourage all members of this Legislature to join in ensuring that we make the very best use of the lands we have available to us right now; that we use the resources we have at hand in a responsible, efficient way; that we initiate a legacy of environmental responsibility in our communities that will not only benefit our children and our children's children but will kick-start an era of sound community planning and development that will become a standard for strong, vibrant communities throughout this province.

The time for this legislation is now. I encourage all members to support making our province a better place to live.

**Mr Morley Kells (Etobicoke-Lakeshore):** I am pleased to rise in the House this evening to support this important piece of legislation.

As honourable members will know, this government's comprehensive brownfields strategy is designed to provide a practical and environmentally sound approach to brownfield redevelopment that will help us build cleaner, healthier communities.

This is a reasoned, well-thought-out strategy that meets the needs of municipalities, which can now plan with more certainty the development of little-used or contaminated lands in their communities. This is a strategy that will meet the needs of those who will be involved in the future development of these lands: the bankers, the developers and those who occupy those developed brownfield properties in the future.

The ministry's brownfields initiatives are already garnering positive attention and accolades. For the ministry's brownfields showcase and municipal financial tools program, we were awarded special recognition and a showcasing at the 2000 international brownfields conference in Atlantic City. In addition, an internal ministry Reach award recognized our work in the partnerships/community builder category.

The Ontario Professional Planners Institute presented the ministry with a central district award for outstanding planning, as well as their provincial award for professional merit in the category of New Directions. This kind of sounds like an Oscar awards program, but nevertheless we won those awards.

And finally, the ministry recently received the 2001 Canadian Urban Institute Brownie Award for leadership



in policy development for Ontario's Brownfields Statute Law Amendment Act, 2001.

Obviously, those in the know believe that we're on the right track.

This is an important piece of legislation from many viewpoints, but I believe the most important contribution this legislation makes to the future well-being and economic viability of Ontario communities is through its direct relationship to the province's Smart Growth strategy.

This proposed legislation complements our government's Smart Growth strategy by linking economic growth to existing infrastructure in a way that makes sure we have a healthy environment and a good quality of life.

Brownfields are situated in just about every community in this province on which industrial or commercial activity took place in the past. For the most part, they are currently abandoned or underused. In some cases these properties may be contaminated, but in many instances there is little or no contamination. I can attest to this because in my riding of Etobicoke-Lakeshore we have an old industrial area known as the town of New Toronto. A good part of it was industrial and we have many spots that now do not have those manufacturing jobs that we used to have, and for many years I've been concerned. I've called them brown holes—areas that just nothing is happening in—and this legislation is going to go a long way to either making them new in the sense of commercial or industrial use, or even for residential use.

Most often, these properties are located, as I said, in prime inner-community locations where infrastructure and other urban services already exist. By making brownfield redevelopment easier, the proposed legislation will enable communities to improve their quality of life, be more competitive and attract new businesses and jobs. I have only to look to several examples in the communities in and around my own constituency. As I said, I'm in Etobicoke-Lakeshore, the west end of Toronto; we're now moving into the south end of Mississauga, which is similar in many ways to the demographics in my area. For example, Brickyard Park in Mississauga is precisely the type of brownfields redevelopment project we had in mind when we began to develop brownfields legislation.

Since the early 1900s, the Cooksville Quarry lands were used as a licensed quarry and for the manufacturing of building products. From 1981 to 1986, the site was also used for the disposal of coal fly ash from the Lakeview generating station. I don't necessarily want to give away my age, but I do recall very vividly that in the 1940s German prisoners of war actually worked in that quarry. The site is now home to a residential subdivision, retail services, a school site and the 10½-hectare Brickyard Park, providing a diversity of new housing stock, commercial and recreational amenities in a mature community. This site has also sparked interest in developing the industrial area to the west. Brickyard Park is a fine example of brownfields redevelopment in action.

Another example, the Port Credit Village development, is located on the site of the former St Lawrence

Starch plant, which again many of us my age would recall as the makers of Beehive corn syrup. This area on Lakeshore Road at the foot of Hurontario Street is a multiphase waterfront development program that replaces an obsolete industrial operation with a mix of mid-rise apartments, townhouses and street-related live-work residences. It also has heritage preservation and public waterfront parkland, enabling greater access to the Lake Ontario waterfront. Again, on a personal note, I can attest to the fact that many of my generation are selling their single-family dwellings and moving into that development.

In old Port Credit, Mentor College is a primary elementary school building located across from the CP Rail line. This former industrial building was converted to house classrooms for junior kindergarten to grade 4 students. This reuse has enabled them to expand the abutting school while providing greater land use compatibility with the nearby residential community.

It makes good sense to develop these lands. Cleaning up and reusing brownfields benefits our environment, our economy and our communities. Because of their proximity to community services and water and sewage lines, the development of these properties can inject a much-needed community stimulus that can bring people back to the community core, attract tourism, and transform ugly, unattractive properties into sought-after downtown living spaces.

I am extremely proud of the fact that this government was the first in Canada to introduce a process and set of environmental standards for brownfield site cleanup in Ontario. As the minister and I know, at the committee level, I was very pleased to see that all parties, to different degrees, supported the legislation; and indeed it was supported in depth because of areas like Brantford, Ontario, where they are facing many of the same problems.

This brownfields legislation and the accompanying regulations would give these standards the force of law that is absolutely necessary for redevelopment. In addition, this legislation sets out a process for cleaning up brownfields. This proposed legislation allows the cleanup of brownfields in ways that uphold strong environmental standards and maintain the Ministry of the Environment's ability to address significant contamination. The environmental benefits of cleaning up brownfields sites are clear. Revitalizing these properties improves our soil and water quality and protects human health.

The proposed legislation would remove key obstacles to cleaning up and recycling brownfields by making it easier to take advantage of brownfield opportunities. This legislation again will make more efficient use of existing infrastructure and preserve our parks and farmland. Redeveloping brownfields will also help us meet the needs of our growing economy while protecting our natural and heritage landscapes.

I urge all members to join with us in supporting this important and timely legislation, and I think that's happening. By promoting brownfields redevelopment, we can ensure that our communities remain strong and vibrant and environmentally sound.

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**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to be here this evening in the Legislature to say a few words on the Brownfields Statute Law Amendment Act, 2001. This act is a very important piece of legislation, because it will encourage the cleanup and revitalization of abandoned or contaminated lands. Redeveloping these brownfields encourages smarter patterns of growth: it cleans up contaminated lands, makes more efficient use of existing infrastructure, like roads, sewers and schools, and provides an alternative to development of greenfields and farmland. Certainly that's—

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: Quorum call, please.

**The Deputy Speaker (Mr Michael A. Brown):** Is there a quorum present?

**Clerk Assistant (Ms Deborah Deller):** Quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** Quorum is now present, Speaker.

**The Deputy Speaker:** The member for Parry Sound-Muskoka.

**Mr Miller:** The point I was just making was that developing brownfields stops urban sprawl to a certain extent and encourages the development of brownfields instead of greenfields and farmland. I certainly think that's a very worthwhile goal.

The proposed legislation is the result of two years of consultations and discussion. Last September our government announced the appointment of an advisory panel to provide expert advice on the environmental cleanup and rejuvenation of old industrial and commercial sites known as brownfields. In fact, the chairman of that committee was a resident of Parry Sound-Muskoka, that being Blake Hutcheson from the town of Huntsville in my riding. That advisory panel emphasized the government's commitment to building cleaner, more prosperous communities for future generations. The result of this consultation process is the Brownfields Statute Law Amendment Act.

In addition to incorporating recommendations from the advisory panel, it also addresses the key challenges to brownfields cleanup and redevelopment; that is, environmental liability, planning processes and financing. The proposed legislation is definitely great news for Ontario communities, and I can certainly tell you that the people of Parry Sound-Muskoka are in support of such legislation. It is great news for communities in Parry Sound-Muskoka because it will reduce many of the prime barriers to brownfields redevelopment. In particular, it will provide a degree of certainty over environmental liability.

In my hometown riding of Parry Sound-Muskoka there are some areas that can be classified as brownfields. In fact, I think I'm safe in saying that across Ontario most communities do contain such areas. Certainly in the Parry Sound-Muskoka area originally the town of Bracebridge was at one point the largest centre for the production of leather in the British empire—I'm sure a lot of

the members here are not aware of that important fact—but back at the turn of the century when that industry was booming they didn't have the same environmental concerns that we have today and the same environmental laws. Arsenic was used in the process of tanning leather. As a result, there would be some brownfield sites in communities in Parry Sound-Muskoka, at some of the former tannery locations. At that time, part of the reason they were located in Parry Sound-Muskoka was the abundance of hemlock trees in the area. The hemlock bark was used in the tanning process.

These brownfield areas can be particularly problematic from time to time, given their contamination and abandonment. However, despite the tremendous benefits to be gained from developing brownfields, financial institutions and developers are often reluctant to invest in these sites. Their caution stems from concerns over potential liability for future environmental problems and for the financial implications of this liability. The liability factor is one of the largest barriers in the redevelopment of brownfields. I can understand the apprehension and lack of interest shown in these areas, given the problems these lands may in fact represent for our future. It is a shame that these sites have become such underused economic losses and liabilities to our communities.

The proposed legislation sets out clear rules for limiting future environmental liability, complemented by checks and balances to ensure that environmental standards are met and that the people of Ontario are protected. In addition, the proposed brownfields strategy provides a practical and environmentally sound approach to brownfields redevelopment that will help us build cleaner, healthier communities. The legislation will also permit landowners and municipalities to make the right decisions in order to make better use of these currently underused lands in our communities.

It is important for members of this House to note that the proposed changes in the act do not alter the Ministry of the Environment's powers to issue orders to address environmental emergencies or to take strong action against polluters. The ministry will continue to audit site cleanups. Specifically, the legislation would require mandatory environmental site assessment and cleanup, if it is required, and the setting of standards where there is a land use change from industrial/commercial to residential/parkland or other land use changes prescribed by regulations. It would enable regulations to provide clear rules for site assessment, cleanup and standards for contaminants based on the proposed land use. For example, current cleanup criteria will become regulated standards. This legislation would also require the acceptance of a site-specific risk assessment by the Ministry of the Environment and allow for conditions to be placed on the use of a property.

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The brownfields legislation would establish clear rules for environmental liability. It would provide liability protection from future environmental orders from municipalities if taking actions for the purpose of a tax sale or



actions related to other municipal responsibilities. It would provide liability protection from future environmental orders for secured creditors, while protecting interest in a property. It would also provide protection from environmental orders for any person conducting an environmental investigation while acquiring interest in a property. It would also provide a liability protection from future environmental orders for owners who follow the prescribed site assessment and cleanup process. This includes filing a record of site condition to that site registry and using a certified site cleanup professional. This legislation would maintain the ministry's power to issue an environmental order in response to an environmental emergency. It introduces a number of quality assurance measurements, which include sign-off by certified professionals, mandatory reporting to a site registry and an auditing process to ensure compliance with the legislation and regulations.

I can safely say that I feel confident that this legislation goes a long way to establish clear and strict rules for environmental liability and the essential cleanup of brownfield sites.

Brownfields redevelopment is definitely a hot topic in Canada these days. In cleaning up these contaminated and unused lands, it would benefit local communities greatly as well as benefiting many of us for generations to come. In redeveloping these industrial and commercial sites, communities will be able to improve their quality of life and protect the environment, attract new business and new development, and create jobs.

As I said before, the cleanup and redevelopment of brownfield sites can offer significant environmental, economic, social and fiscal benefits.

Environmentally, the cleanup of brownfield sites will improve our soil and water quality and protect human health. Redeveloping brownfields allows communities to make more efficient use of existing infrastructure before expanding on farmland or greenfield sites. I think of Parry Sound, which has a prime waterfront location. I believe it was used in the petroleum business at one point in the past and is right on the water in the downtown area, with town water and town sewer located there. So certainly it's a prime location and will hopefully benefit from this legislation and encourage the redevelopment of that site to be enjoyed by the people of Parry Sound-Muskoka and visitors to the area.

In our local neighbourhoods, brownfields encourage community building and revitalization of our underused areas. Communities are able to come together in the redevelopment of these sites in order to benefit as a whole. Certainly that site in Parry Sound is a prime example.

Fiscally, brownfield sites that are left vacant or that are perhaps contaminated generally have low assessment and therefore low taxes. The taxes may even be in arrears, which means lost revenue for municipalities and other stakeholders. So it's obviously in the interests of the municipality to take land that may be abandoned, may be a hazard, and see it developed so it's no longer a hazard, no longer an eyesore, gets back into use; and

eventually they will receive property taxes from that redeveloped brownfield location.

In the US an entire industry is emerging comprised of lawyers, decontamination and insurance specialists, financing packagers and even brownfields trade fairs where individuals and municipalities are showcasing their brownfield sites to potential developers.

In the city of Hamilton, brownfields redevelopment is alive and very active. The city of Hamilton has a large, older industrial area that contains several abandoned, idle or underutilized properties where expansion or redevelopment is complicated because of the real or perceived environmental contamination, building deterioration or inadequate infrastructure.

The city has taken a proactive approach on brownfields, establishing an efficient, standardized process for dealing with site contamination through the planning process.

The city has also developed a comprehensive plan to promote the redevelopment and reuse of brownfield properties. This plan, known as environmental remediation and site enhancement, or ERASE, contains innovative financial incentives and market programs designed to spur brownfield development.

Because of these and other initiatives, the city of Hamilton is recognized in Canada as being a leader when it comes to facilitating and promoting brownfields redevelopment and investment.

I'd like to just briefly comment on one project in the city of Hamilton. The historic CN station on James Street North was given a new lease on life with the help of the Labourers' International Union of North America, LIUNA, and the city of Hamilton. The union completed the conversion of the CN station and officially opened the LIUNA Station banquet centre and office space in the spring of 2000. Now the organization, in co-operation with the city of Hamilton, is constructing a \$10-million, three-storey nursing home with 120 long-term-care beds on a former brownfield site on Queen Street North. It is certainly great to see these brownfield sites coming back into productive use.

I think it is important to note that many municipalities in Ontario are already working hard to develop similar projects in their own communities.

This bill will definitely go a long way in helping mayors and reeves in my riding redevelop the brownfields in our communities.

The proposed bill will include community improvement provisions of the Planning Act that will allow municipalities the greater flexibility to provide for a broad range of community improvement activities, including brownfield remediation and redevelopment. That is, if a municipality has community improvement policies and designated areas for community improvement in its official plan, it may issue grants or loans to encourage rehabilitation of lands and buildings in the community improvement area, including the remediation and redevelopment of brownfield sites.

It is a reality that unfortunately brownfield projects usually don't get off the ground because of the high costs

of cleaning up the sites. But the proposed legislation would encourage owners of brownfield sites to undertake site cleanup by providing them with property tax relief to assist in remediating their brownfield properties.

The rewards of cleaning up and revitalizing brownfield sites are tremendous for the municipality, for the developer and for communities as a whole. First of all, it's good for the environment; for our municipalities it means increased property tax revenue; for the developer it means opportunity; and, most important, it means jobs for our communities.

My riding of Parry Sound-Muskoka, although generally pristine, does contain some brownfields. I believe that the redevelopment of these brownfields is crucial to our communities' futures and the growth that would come with these opportunities.

With this legislation we will undoubtedly see more. Bill 56 is now at its third reading. This summer there was a lot of public input, with many different groups making suggestions for this bill. I went with the general government committee as we travelled to Brantford and toured some specific brownfield locations where the town is cleaning them up. Since that public input, there has been clause-by-clause examination of the bill and many amendments to the bill have been adopted.

The Brownfields Statute Law Amendment Act, 2001, is vital to the future development of brownfields in Ontario and a key element in the work being done in communities all over Ontario to re-energize and revitalize urban cores.

**1930**

In speaking with local councillors and community members in Parry Sound-Muskoka, they expressed their support for this bill, and I am sure many other communities across the province would agree.

As a leader in the Smart Growth initiative for our government, I have to commend Minister Hodgson for his effort in promoting and managing growth in ways that sustain a strong economy, build strong communities and promote a healthy environment in Ontario.

It is certainly safe to say that all three parties have supported this bill in various parts. It was very co-operative, the way it moved through the amendments process in the general government committee.

I wholeheartedly lend my support to this legislation and I call upon my legislative colleagues to join me as we enact the legal framework that will help to make Ontario communities strong, safe and environmentally secure, and will see the redevelopment of many brownfield locations.

**The Deputy Speaker:** Questions? Comments?

**Mr Rick Bartolucci (Sudbury):** I would like to thank the minister, first of all, then the member from Etobicoke-Lakeshore and, finally, the member from Parry Sound-Muskoka for outlining the government's position. Although we don't agree totally with the government's position, I think philosophically we can all say that it's very important that we reclaim land and make that land safe for everyone in Ontario.

Just to make sure that the people of Ontario understand what the term "brownfield" means, "brownfield" is a term used to describe abandoned industrial lands that have been contaminated by toxic chemicals, and before these lands can be redeveloped, they have to be cleaned up. That's what we're debating tonight, and we'll be debating it for the rest of the night.

My community of Sudbury was a city, a community, a region that needed to be reclaimed because of the devastation of air pollution from the stacks. All the partners came together: Inco, Falconbridge, the region, all three levels of government. The important thing was that they were provided the tools, the resources, in order to reclaim the land. The Minister of Municipal Affairs and Housing, the former Minister of Northern Development and Mines, would know that it has been very successful. In fact, it's a model that has been used around the world. The important thing to remember is that it is the model that's used around the world because we had all the tools in the toolbox to do the work which was required.

There have been extensive hearings on this, 50 deputations. There have been I think 81 amendments, but there are still some shortcomings to this bill which require careful scrutiny on the part of the government, and we hope that they would do that.

**Mr David Christopherson (Hamilton West):** I want to commend the member for lasting on his feet that long. I know it can be a bit of a marathon if you're not used to it.

As we've said consistently from the beginning, the NDP caucus is supportive, but don't read too much into that, because there is a lot that's not in Bill 56 that we have a great deal of criticism with. Fundamentally, this is the right way to go, but without bucks, as the minister knows, we're only going to get so far.

Like many members here this evening, I was downstairs in the legislative dining room with the certified general accountants, and it happens that the president of the board of governors, Herb Wodehouse, is a Hamiltonian. In fact, he has his office right in downtown Hamilton and lives in Westdale, so both his business and his residence are in my riding. Also, Joyce Evans was there, who works in Ancaster, now a part of Hamilton, and lives in Dundas, another part of Hamilton. We were talking about the fact that our beautiful waterfront is working magnificently for us in terms of its contribution to the overall health, economic and otherwise, of our community, and our downtown is suffering. In between are a whole slew of brownfield sites that are sitting dormant, and we have some interest, certainly a lot of desire, on the part of Hamilton city council to move on these sites, but this legislation alone is not going to do it.

I'm going to speak later this evening about the conference, which I know the minister would be aware of, that was held in Hamilton at one of the best redevelopment sites you could possibly have in all of Ontario. I'll speak to that later also.

**Mrs Marie Bountrogianni (Hamilton Mountain):** I'd like to talk to you about a situation in Brantford that



has a relationship with Bill 56. Mr Levac gave me this information. In fact, I was at one of the hearings with our general government committee when we looked into this issue.

Brantford has been on the leading edge of brownfield redevelopment for years without the help of the province. Now that they are getting involved, they are not listening to those who have first-hand knowledge of the problems. Their councillors, the entire city council, in fact, have been working on this for years and the province is ignoring this advice.

The federal government has removed federal tax liens, but recently during amendments to the bill the province refused to do so. They refused to address this issue even though Mr Levac brought it up during committee.

They also refused to address the issue of financial help to municipalities by creating a fund specific to emergency brownfield cleanup. Cities such as Brantford have had their entire emergency funds drained in order to clean up one of the sites which contains unexpected hazards and contaminants.

Government did not address off-site liabilities even though municipalities which were affected by these sites had asked for off-site liability protection. They did not pass amendments dealing with the right of entry, which is vital for cities to address what exactly is in a building site and how hazardous is actually is.

The committee travelled to Brantford to see first-hand what issues the municipalities are dealing with. Even so, the government has chosen to ignore some of the most important elements of the problems that towns and cities are dealing with.

In this bill, they have added no additional resources to implement what is in this bill. Once again, the same old game: it sounds good, it reads well, it looks good, but without the added resources, it's just another public relations exercise that we abhor on this side of the House.

**Mr Bert Johnson (Perth-Middlesex):** I just wanted to get up and add to the debate tonight because the member for Parry Sound-Muskoka and the minister have spoken very well on this. I wanted to add a little bit of the context of this from my riding.

Yes, we probably have brownfield-type locations in Perth-Middlesex. Not a lot; we didn't have the petrochemical development that Sarnia had and things like that. But I do recall and want to emphasize that the city of Stratford at one time was quite a rail centre. It had engine shops. It was the only location, I think, for miles and miles that they could pull their big steam engines into, lift them up, do the repairs and so on—great big cranes; just a huge industrial complex.

I think in those days the debris that was left over after a work job was not looked after that well. Consequently, the old CNR shop in Stratford is a location that hasn't been developed. I'm not saying that the only reason it hasn't been developed is because we haven't had this legislation, but this legislation I think is designed to overcome the kinds of complexities and impediments that a property like the old CNR engine shop in Stratford has.

I also want to emphasize that I think until about 1993 the federal government had a policy of this sort of remediation and they've let it go.

Thank you very much for letting me add my comments.

**The Deputy Speaker:** Response?

**1940**

**Hon Mr Hodgson:** I'd like to thank my colleague and parliamentary assistant, the member from Etobicoke-Lakeshore, for all the hard work that he's done on this bill. I'd also like to thank my colleague from Parry Sound-Muskoka for his words of encouragement and his support of this important piece of legislation. I would also like to thank the member from Sudbury. I agree with him that Sudbury has done a tremendous job of revitalizing their community with the tree planting. When I was Minister of Northern Development we shared a beautiful day in Sudbury where we planted a tree to mark the success of this program, and it really has made Sudbury a beautiful community. The Hamilton West member and the Hamilton Mountain member talked about some of the improvements to the bill. They recognized the fact that when they were in government, they did absolutely nothing to clean up the legislative framework to allow their communities to be revitalized—the beautiful waterfront.

The member from Hamilton Mountain I think is alluding that she wants more money, but we found from other jurisdictions in North American that have done this that clarifying the liability and allowing the private sector to redevelop this property was the way to go. You could throw money at it. We are allowing for some incremental tax financing that will help make the properties more feasible to be redeveloped, but we've found the right mix by learning from what is happening in other jurisdictions.

Second, I'd like to thank the member from Perth-Middlesex for his support of this bill. With the concurrence of all members', we've improved this bill from when it was first introduced. There have been a lot of amendments because we've listened to the constructive and helpful advice from the members opposite and members on this side of the House and from outside people who took the time to come before the committee.

There's a lot of work to be done to turn some of these contaminated sites into productive locations that we can all be proud of in our communities. This is a major step forward in Ontario. It's happened in other jurisdictions. My only regret is that it took so long to happen in this province.

**The Deputy Speaker:** Further debate?

**Mr John Gerretsen (Kingston and the Islands):** I'm very pleased to join the debate tonight. I will be sharing my time with the member from Thunder Bay-Atikokan and the member from Ottawa Centre somewhat later on.

Tonight so far, in the hour or so that we've been here, we have heard from the government members the term "framework" at least a dozen times. I think the people of Ontario should clearly understand that that's all we have here. It is just a framework as to how these brownfield

areas in our communities, the contaminated sites, can be fixed up and reclaimed, in effect. But, as is so often the case with this government, the resources to actually get that work done are totally lacking in this bill. I understand that there were something like 50 different deputations before the committee that had carriage of this bill, and that they all basically said the same thing: "It's a step in the right direction, but if you want it to be a meaningful process, you have to fund it." Of course, the funding is completely and totally lacking in this bill.

Every one of us in this House, particularly those of us who represent older areas of the province, has these kinds of problems. In the Kingston area we have three major areas that could be classified as brownfields. We have an area that was the former site of a tannery in the Kingston area, where for many, many years lead and other contaminants not only contaminated a large portion of the property that the tannery was located on but also a fair amount of the riverbed of the Cataraqui River which flows between Ottawa and into the St Lawrence River at Kingston. This is a major, major concern. Although the property is still privately owned, it was basically abandoned, and it's been abandoned for at least the last 30, 40 or 50 years.

There have been a number of different development proposals for that site, and every one of the proposals didn't go anywhere because the tremendous cost that would be involved in cleaning up the site itself, the land mass, simply made it too prohibitive. Worse than that, a fair portion of the riverbed of the Cataraqui River that is located adjacent to this property has been similarly contaminated, to the point that it is almost unsafe to use any kind of motorized boats on that portion of the Cataraqui River. It is used quite extensively by a rowing club, and that doesn't seem to upset the bottom of the riverbed too much, but I can tell you it would be a massive undertaking to clean up that would cost millions of dollars.

The point I'm simply trying to make is that in a lot of cases it is just totally unrealistic that private development is going to do this—because they're just going to walk away from the land—without some substantial government involvement. And that involvement, in my opinion, should come both from the provincial government and from the federal government.

We have another site in Kingston—and I'm sure I'm not alarming anybody with this, because it's well known to the people who work in this particular site—the OHIP building, the building used by the Ministry of Health in Kingston, that was built back in the early 1980s when the OHIP division of the Ministry of Health was transferred to Kingston. That was placed very close to an abandoned coal yard. There were some other complications as well in that there were allegations or suggestions made at the time that in effect it was located close to or almost on top of an old Indian burial ground, which delayed the project for quite some time so that restorations and archaeological work could be carried out in the area.

But it is a well-known fact that the building, which is now some 17 years old, is the subject of great concern to

the people who work in the building. Although companies have done different testing in the building, there are allegations that people get certain illnesses from being there, or at least that they suffer illnesses at a much greater rate from being in certain portions of the building than otherwise would be the case. This building is owned by the provincial government, or at least it was until fairly recently, but the provincial government, even though it sold the building, you may recall—it was mortgaged thereafter for a lot more money than the building actually sold for, which raised all sorts of questions in this House which the minister, who was then the Chairman of Management Board, is quite familiar with because I raised the issue with him at the time as to how the government could sell a building and allow the new buyer to mortgage the building for more than 100% of the value of the building. Of course the new owner could do that, but it tells me that if you're able to mortgage a commercial building for 105% of its value the moment you take it over, then you've got a pretty good deal on that building. Anyway, that's a totally different issue.

The point is that even though the government no longer owns the building, the liability with respect to the building is still within the government's responsibility. I've been approached by a number of different worker groups within the building about the various studies that have been done with respect to it, because there are severe allegations that people get sick when they work in certain parts of the building. There is a higher rate, I believe, of cancer. I'm not quite sure what kind of cancer it was; it could have been breast cancer, though I'm not 100% sure about that at this time. Yet the government—this is a building that it has the responsibility for—has been very, very slow in actually dealing with that situation. The government has been very slow in dealing with that situation.

So I say to myself, if the government is not willing to deal with a brownfield kind of situation with respect to its own workers in a realistic fashion that we would expect from a good employer, then are private individuals going to do this, or are they just going to walk away from it?

So although this is a good framework which sets out some of the rules and regulations as to what should happen with respect to a site, I make no bones about it and there's absolutely no doubt about the fact that this kind of legislation simply doesn't work in the long run without the government putting in adequate resources.

#### 1950

It was very unfortunate that when we made an amendment to this bill suggesting, in situations where the money couldn't be raised in order to do the cleanups, that an emergency fund be set up through a provincial mechanism, that was rejected on the theory that we're only dealing with the framework here. It is like so many other bills that we pass here: when we all know that the only way you're effectively going to deal with a situation is to make sure that it's properly resourced and funded, we're doing exactly the same thing again.



The bottom line is this: the framework that's set out in this bill eventually allows individuals—the original owners of properties—to get out of responsibilities that they, as property owners, should rightfully have with respect to that property. Yes, there is a certain period of time when provincial liability or provincial responsibility sets in and then municipal responsibility, but the point is that the bill allows the original landowners of the property to evade their responsibility.

The other thing that is very closely connected with that is that it allows the municipality to make tax deals with the redevelopers of that property whereby taxes are either forgiven or postponed for a certain period of time. Who pays the ultimate price for that? Who pays the ultimate price when taxes are either forgiven, postponed or somehow deleted? It's the local taxpayer; it is the municipality. This is another form of downloading.

I can well understand, as a former municipal politician, that there are some municipalities that say, "At least we have the power to work different arrangements by doing this." But let there be no mistake about it, the fact that municipalities will be the losers in this as far as the tax revenue that they otherwise would have received on this piece of property is going to hurt municipal finances and is going to affect the local property taxpayer. This is so typical of this government. It has downloaded all sorts of services, and I will not go into an entire litany because then the time that I have here, which I see is unlimited tonight, which is very nice to see, the unlimited time that I have tonight, because it will allow me—oh, there are only 49 minutes left, but I will leave some time for my friend from Thunder Bay-Atikokan.

The municipality is ultimately held responsible again through this downloading. I could give you a whole litany of all the downloadings that have taken place. I know that the people out there are extremely confused about this. I get it on a daily basis. They don't know who to blame when their taxes go up. I tell them it's a combination of a whole bunch of things. There has probably been reassessment done in your community, the way it has in mine; probably an amalgamation took place that has affected the tax situation as well, where in one part of town the taxes went up and in another part they went down; then there's downloading on top of that. As a result, nobody really knows what effect downloading in and of itself has had on the municipal tax base. This is just another form of downloading.

It would have been, in my opinion, a lot more acceptable and fair of the provincial government to say, "Look, it is not just to the benefit of this particular municipality to deal with the brownfields situation. No, we also take provincial responsibility, and we are setting up a fund whereby in emergency situations, where the economics of the situation really dictate that there has to be governmental involvement, there would be funds available to deal with that situation." Putting the framework in place alone just simply isn't enough. We've seen it in so many other situations.

The other area that we're quite concerned about is that there's no off-site liability. By that I mean that quite

often you have properties which may have been contaminated and for which the liability has now been taken over through this act, by the municipality ultimately, but there's absolutely no way that the properties that adjoin the property which has been taken over by the municipality get any kind of liability protection. We moved an amendment to that effect and it was rejected out of hand. Quite frankly, that may potentially leave adjoining property owners in a position where they, in effect, really have no recourse. Whereas an adjacent property owner would have had an opportunity of recourse against the original property owner, now, with the municipality taking that over and with the municipality making a deal with whoever's going to redevelop the land and clear up the brownfield situation, there is no way that the adjoining property owners have any recourse for any contamination that may have occurred to their property. I think that would have been the fair thing to do, yet the government, for whatever reason, decided not to get involved in that.

The other thing that's very interesting: it's my understanding that another amendment that was put forward, whereby in effect any money that was owing to the municipality by way of liens would be forgiven as a result of this effort, was rejected by the provincial government. It's interesting that the federal government has taken a completely different approach. They have agreed that if a property is reclaimed, then any federal liens against it will be absolved. My comment to the minister and to the government is this: if it's good enough for the federal government to do that kind of thing, and if you really want to get rid of these brownfield areas, why, provincial government, do you not take the same approach? It seems to me that perhaps you aren't quite as firm in your position as you should be, or quite as generous.

I still believe that all of these major projects—there's absolutely no question about it: the only way that municipalities can ever get involved in it is if we go back to a system whereby there's an equal cost sharing among the federal, provincial and municipal governments. There have been many programs over the years where that has worked extremely well under Liberal regimes, Conservative regimes, both federally and provincially, where there was a buy-in by all three levels of government, realizing that they're there for all the people of that area. When you live in a town you've got a federal, a provincial and a municipal representation or involvement in a situation; it is best to get all three involved. That way there's a buy-in and there's an understanding of what the problem is and it's only fair that the cost be shared on a triparty basis. It's unfortunate that we haven't got that situation here.

We're disappointed that the province—

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** You'll get over it.

**Mr Gerretsen:** The Minister of Citizenship says I'll get over it. Yes, I may get over it, but the question is, if you really wanted these brownfield areas reclaimed as quickly as possible, which I think we all would like to

see happen throughout Ontario, the best way to do it is to get involvement from all the levels of government.

Let me just give you one other example: it deals with the SuperBuild fund and it is very closely related to this situation, just in case you think I'm straying from the subject matter at hand. I'm not doing that. The government has made a big to-do over the fact that it's got this SuperBuild fund and they're going to pour something like \$240 million into infrastructure projects for municipalities in water and sewer projects.

2000

**Mr Mike Colle (Eglinton-Lawrence):** It's over 20 years.

**Mr Gerretsen:** I don't believe it's 20 years, but it's over a five-year period of time. I applaud them for that, the concept of doing that. But you know what's happened, Speaker. You and I know what's happened is that in municipality after municipality applications were made as many as 15 months ago, announcements were made by the various ministries involved, and not one single project as of today has been approved in order to assist municipalities to get those better water and sewer projects going in their municipalities.

**Hon Mr Jackson:** Why is Ottawa sitting on it?

**Mr Gerretsen:** "Why is Ottawa sitting on it?" the minister says. Well, Ottawa is not sitting on it. As you well know, every other province has signed an agreement with the federal government except for this province, because they wanted a different kind of a deal than what was good for every other province of this country.

*Interjection.*

**Mr Gerretsen:** Minister, you will get your chance.

I think that's a shame, it's an absolute shame. In my municipality, for example, they want to build a brand new pipe under the Cataragui River system to our sewage treatment plant. It's something that is definitely needed. The pipe is about 40, 45, 50 years old, and it needs to be replaced. That application has been sitting here for something like a year, or close to a year. There are other applications that have been sitting here for 15 months. The municipal leadership in all of these municipalities—we heard today in estimates from the Minister of the Environment, an individual I have some respect for. I asked her that question. And do you know what she said? She's not in charge. She makes a recommendation to SuperBuild, and SuperBuild ultimately makes an announcement. The problem is SuperBuild has made no announcements over the last 15 months in the whole infrastructure renewal program. We know when those announcements are going to come. They're going to come either right before the next election, probably another year away, or at some point in time.

What I am saying on behalf of the people of Ontario is, stop playing politics with it. If you and I know how important these projects are, and you and I know that the municipalities simply cannot afford through their local municipal tax base the tremendous infrastructure costs that are involved in renewing your water and sewer

systems, they need both federal and provincial support in that.

I still think that the funding formula of a third, a third, a third is the fairest all the way around. If they had implemented that I am sure the municipalities would be glad and would be doing the work. What's happened instead? In an area that is just as important as brown-fields, equally important because it deals with our environment and it deals with the safe drinking water conditions that we all want to enjoy in this province and the proper sewage disposal systems that we all want in our communities as well, just as important as this bill, what's lacking? It's exactly the same thing that's lacking in this bill. There is a great framework set out, but there are no resources put aside to actually put it into place.

That's a very tragic situation. We know of course one of the reasons is that the Premier wanted to make sure that SuperBuild—and let's clear something up about SuperBuild. There's nothing magical about SuperBuild. In SuperBuild, all the province has done is taken all the capital budgets out of the various ministries, lumped them all into one fund and called it SuperBuild. It's taken it out of the different ministries so that the minister in charge has absolutely no say over it; as the Minister of the Environment today admitted, she makes a recommendation to the SuperBuild fund. I asked her, "Who makes the decisions?" Well, I guess it's Mr Lindsay and the Premier at some point in time.

I think personally that's the wrong way to go. The ministers of the crown should have some responsibility for the capital works that are taking place within their sphere of influence. That's not happening, because that responsibility has been offloaded to an individual who makes \$320,000 a year as the president of SuperBuild, a close friend of the Premier's. And you might say, "So what? We all have close friends."

**Mr Colle:** Or his campaign manager.

**Mr Gerretsen:** He may have been his former campaign manager.

But I'm saying to the Minister of Citizenship, you should be in charge of your own ministry. You should not allow some of it—now, maybe you've got no money within your ministry at all that's gone over to SuperBuild. A minister's responsibility should not be offloaded for capital projects to an appointed individual so that he and the Premier can make decisions as to what projects are going to be funded and when those projects are going to be funded. It is absolutely—I won't say criminal, but it is totally unacceptable that for 15 months municipalities, through their very competent staff and through maybe some of the consultants they've hired to put in these applications, have not heard one word from the government as to whether or not their applications are going to be approved.

I say yes, this is a step in the right direction. I know that the government will be applauded by various groups as doing the right thing. All I'm saying to the people of Ontario is, just remember that all they've put into place here is the framework, but the framework means



absolutely nothing without the funding. When we look in the area of social services, it reminds me so much—remember this notion, this concept, years ago around people who were in psychiatric hospitals and various other health care facilities: “Let’s reintegrate them back into society”? Everybody thought it was a great idea, super.

But we also said that if you’re going to do that, or, as they’re doing now, if you’re going to close psychiatric beds in hospitals and psychiatric hospitals etc, make sure the resources are out there so that those people have the help that’s needed. It is no different from what we see happening with community care: people don’t have to stay in hospitals to recuperate; they could do that at home. More power to those kinds of situations, provided that the community resources, namely, the nursing help and the home care help, are available for people. When that is not available, as we’ve seen recently with home care, as we’ve seen with nursing care, then we say, “Forget about the framework. Don’t change anything until you’ve got the resources in place.”

We know where this government’s priorities really are. They truly believe—and I think the people of Ontario should understand this—that it is more important to give corporate Ontario a \$2.2-billion tax cut than to properly and adequately fund health care and education. On a day-to-day basis we hear in this House, “Well, we’re spending more than we used to; we’re spending more than five years ago.” As the former minister of children’s services said the other day, “There are 100,000 people added to the population of Ontario on a yearly basis.” Since we’ve been here in the Harris revolution there are 600,000 more people now than there were in 1995. Sure you’re going to spend more, because the needs are there.

I don’t want to divert away from this very important piece of legislation—

**Hon Mr Jackson:** Brownfields.

**Mr Gerretsen:**—on brownfields, yes. We will get back to brownfields. Let me just say this: brownfield legislation means nothing if there isn’t enough provincial funding to actually make it happen. I say to the Minister of Citizenship, with his enormous power in cabinet, let him go back to his cabinet colleagues and let him say to his colleagues, “Let’s stop the nonsense. Let’s sign that agreement with the federal government that every other province has signed. It is the exact, same agreement, no different in language. Let’s sign the agreement, and the funding will be available for this and many other projects as well.”

I say to the government, this is a minor step in the right direction. Yes, you may have put the framework into place, but without the adequate resources, you really haven’t accomplished anything.

With that, I’ll turn it over to my colleague from Ottawa Centre.

2010

**Mr Richard Patten (Ottawa Centre):** The member for Kingston and the Islands is a hard act to follow. He

has experience as a revered, even today, mayor of Kingston. When he speaks, he speaks from experience, and so I always listen very carefully.

**Interjection:** President of AMO.

**Mr Patten:** And a former president of AMO, I might add.

I would also like to point out that in the evening sessions there are not too many people, there are not too many school children or students or people walking in off the street who come to see us, but from time to time there are dedicated people who come here during the day—the morning, the afternoon and the evening. I see a few members of the Certified General Accountants in the gallery this evening, and I would like to acknowledge them for their dedication and persistence, and patience, I might add, in delivering their message. They realize it’s not an easy thing to influence this government, but they are still persistent and they still have a message that I believe is important to deliver, and they are doing that, and so I welcome you this evening.

When I first looked at this particular bill, Bill 56, and I looked at the intent, which was the issue of brown lands, as they are called, or euphemistically we have a different term, there’s a tremendous opportunity, it seemed to me, for all of us to do something. I thought the bill might have been shepherded through the House by the Minister of the Environment, but that was not the case and that’s not what we’re seeing here today. It’s being shepherded through, or at least introduced, by the Minister of Municipal Affairs and Housing.

First of all, I wonder about the title of the Minister of Municipal Affairs and Housing, because the government has removed itself from any significant role in housing, as we all know, in many of our communities. Many of our communities suffer from that particular problem. As we well know, they’ve downloaded the responsibilities on to municipalities. In my community, the city of Ottawa, we have less than 0.2% vacancy, which means you have no mobility at all. This doesn’t even take care of people who were removed from their house or people who pass away and one thing or another. That is not a particularly good thing.

Tonight we’re talking about Bill 56, brownfields. I thought, what a great opportunity. When we think of brownfields, of course, we think these are wastelands within an urban environment that may have had a particular company or industry that has long gone, and over a period of time a dilapidation of a particular facility. This is not the case in many areas.

But perhaps, as other members have identified, when we talk historically from the end of the Second World War and where we had towns and cities and the expansion and the development of suburban sprawl or urban sprawl, but meaning the development of suburbs—I’d like to know whoever taught those courses in urban planning in those days, and the architects who were around at those times, because today they must have to revisit the shrines of the source of their wisdom.

We have today in this particular city, the place in which this Legislature is positioned, thousands, perhaps

tens of thousands, of acres or hectares of land that can be recaptured, rejuvenated and contribute to the quality of urban life. So I say this as an eternal optimist: there is an opportunity here. I will say upfront, as I think many colleagues have said, at least on this side of the House, that the bill is somewhat deficient in substance. There's no question that all members of the House would agree with the objective, and that is to take contaminated sites in an urban area and convert those to useful lands, be they commercial, residential, parks, playgrounds, whatever. This is an opportunity for us.

It seems to me, when one begins to do an analysis of the volume of acreage that is out there that can help make that contribution, it is truly astounding. It is absolutely, truly astounding. My friend from Kingston knows this in his particular city. My friend from Sudbury knows this in his particular city. My friend from Thunder Bay knows this in her particular city. There is a marvellous opportunity, truly, if we would take this seriously and say this is a contribution to the quality of life and a contribution to where most Ontarians live, and that is in the urban areas.

So what does the bill attempt to do? It identifies some of the areas that should be addressed, but the substance of the bill, at least as I read it and have been advised through our researchers and my staff who have researched this, and myself as well, is lacking. I would like to think that if the government is truly committed to this they will at committee consider very carefully the recommendations and amendments that can make this a very good bill and therefore supportable by all sides of the House. This House has done this before.

#### *Interjection.*

**Mr Patten:** So we don't go to committee. We have no opportunity. That's it. OK, so we don't go to committee. All right.

Maybe the government can come through with the opportunity as well of additional legislation that can ameliorate as we move ahead in looking at some of these things. At the moment it looks like, and I receive worries—for example, I called the mayor's office in my city today and I asked, "What is your reaction to Bill 56?" They said, "As has been identified, first of all, there doesn't appear to be any resources other than, 'You can make an application to the SuperBuild fund.'" Some people call it the SuperBuild fund because as of yet they have not seen the results of their applications. Some cities have been waiting for well over a year, and I believe an application in our city is having the same experience.

I asked, "What else?" "Not only that, but we're worried that there may be a diminution of some of the standards. In other words, it will make it easier for business to build here when indeed a qualitative environmental assessment has not been done." There are no resources from the province, really, and it's not going to happen unless there are. One of the very suppositions of why brownfields exist now is part of what needs to be addressed. The worries of the lawyers from developers or from companies that would like to look at land are,

"You'd better be careful here, because you could be saddled with tremendous costs."

So this reaction to what's good for the environment is important. But I fear that the government tends to see the environment as a barrier to business rather than a long-term contribution to the quality of life that will be good for everybody, no matter what. I worry about that. I know the orientation of many of the members of the government who come from the business community or one thing or another. They look at the environment and they see the environment ministry either as just a pain in the neck, and I'm being kind in using that expression, that this is a hassle, some of the procedures take too long etc. I have no quarrel with that, and perhaps some of those procedures do take too long, and I know there are ways in which we can ameliorate the process so that it is more efficient. However, at the end of the day, as I say to some of my colleagues on the other side, this place is not a business corporation. It's deemed to be inefficient by business leaders because we take the time. We should take the time. You know, we don't take enough time, because this place often allocates time and institutes closure on many bills; in fact, the most important bills of all. Closure is often invoked, and that's a shame, because every member of this House should be able to respond to what is being said.

#### **2020**

I spoke to one of the councillors in my riding today, Clive Doucet, and asked him, somebody who is there, "What do you think about this?" In my riding alone I have two areas. LeBreton Flats is owned by the federal government, so there's not much I can say about that. They will be moving to develop that particular area, but they have something in the neighbourhood of a \$13-million price tag on removing some of the contaminants on that land. Fair enough. I think the federal government will take care of this and that will happen. The Bayview city rail yards—old rail yards, not used too much any more—will be part of a new light rail system, but not necessarily for the full extent of the land that they have, which is quite extensive. So there's the opportunity to look at things, but they cannot develop anything until they quickly look at it. The point is, it's not that they don't want to look at it; their assumption is they can't afford to look at it.

If this bill can say, "Look, we are there with you, we are your partners"—because throughout the years when these factories operated, these particular institutions, let's face it, historically were far more polluting than they are today. Provincial taxes were paid, business taxes; there were local taxes etc; there were federal taxes. We are all in this together. So whether we make a contribution to Sudbury or we make a contribution to London or Thunder Bay, or we make a contribution to a tiny town called Tweed, or Sarnia or Windsor, it doesn't matter; we're helping the environment and we're increasing the quality of opportunity for people to live in an environment in which they are proud and happy and feel secure to raise their families.



It sounds very Pollyanna, I know, but is that not truly what we have learned about things? Think of this: we're learning in the newspaper these days that the Great Lakes are divesting themselves of trace metals. They are able and have the capacity, as a living organism, to reject pollutants in their own particular body. Isn't that amazing? So nature has a way of working its way through and trying to cleanse itself—trying to cleanse itself—whether it's a river, a stream or what have you.

One of my local councillors has major worries about this, that this is not going to be a particularly strong bill and we may not decontaminate some of these sites, that we may water down the procedures and not show respect for the environment. That's particularly important.

I only have a minute or two to finish my particular part of all this, but I would like to say that the Environmental Commissioner, the Provincial Auditor, as recently as a year ago identified the limitations of the ability of the ministry to deal with contaminated sites—and I'll just refer to page 126: "The ministry generally directs its cleanup efforts to contaminated sites that are of significant public concern." It goes on, saying that it has a responsibility, it has a particular environment cleanup fund. The particular fund that he refers to is active, but it's very small in relation to the job that needs to be done. There are over 45 cleanup projects, totalling \$5 million. Given the task ahead, \$5 million—big deal; this is not significant. Even since it was established six years ago, in 1995, it is only in the neighbourhood of \$160 million. This sounds like a lot of money if you're trying to operate a household budget. But in the grand scheme of things over a six-year period of time in terms of provincial budgets, where we are talking billions of dollars, this is not significant or in proportion to the values of what should happen in terms of our contribution to the environment. Our environment, at the end of the day, is our life support system, especially when we see the greatest affliction our youngsters have: asthma. Why? Because of air pollution.

Cancer is on the increase in our province, in our country, in North America. Why? Exposure to environmental air contaminants, diet, what have you. My point is that the government, it would seem to me, would do well to be vigilant and make the contribution they should make in the long-term interests of everyone. I fear that perhaps they do not.

There is a woman, an environmental lawyer, who was quoted in the *National Post*. I must tell you I don't often read that particular newspaper because I found it, at least in the past, to be so biased toward the Alliance Party and the Reform Party that there was not much point in reading it. However, maybe it is changing and is a bit more objective these days. She says, "If the bill passes, it could help a little, but it won't actually do the job." I suppose that's a good basis on which I can end this, as someone who is independent of government, probably related in some way with contracts to government. I don't know. All I know is that she says that this bill will not do the job. That's our biggest worry, that it won't do

the job. If it won't, I hope that the government will look at future legislative proposals that will get at it and do the job.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I'm pleased to be able to continue our party's leadoff hour on Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters. I just want to assure you, Mr Speaker, that I do have the bill and I am planning to address my comments to the substance of the bill, in case you had any questions in your mind. As you know, I come from northwestern Ontario, and I've appreciated the comments of my colleagues from Kingston and the Islands and Ottawa Centre because in each instance they've been able to make reference to places in their home communities that have brownfield sites where they see valuable land, contaminated land, that could be reclaimed if appropriate environmental measures are taken, and used for development purposes.

My colleague from Thunder Bay-Superior North and I were discussing this a little bit earlier. We suspect that this bill doesn't have immediate application to our home ridings, in the sense that we don't tend to have abandoned industrial sites. What we tend to have in our area—Mr Speaker, as a northerner, you would have some understanding of this as well—are forestry sites and mining sites. You will know that there has been legislation in place for many years that requires the reclamation of a mining site before it can be abandoned. We no longer have abandoned mine sites; we have very strict regulations about the environmental reclamation that must go on before a mine can be abandoned.

The same thing is true in forestry. It is part of any forestry agreement. Before you can harvest, you must put in place the measures for reforestation. The two things go hand in hand. We, of course, coming from a community largely dependent upon forestry, take very seriously the notion of sustainable development, which means that as you use a resource today, you ensure that resource is there for generations to use in the future. It is one of the principle tenets of good environmental management of a resource. From our perspective in northern Ontario, the urban southern part of the province may be coming somewhat late to this idea that you don't simply abandon sites that have once been productive sites for industrial purposes but you take measures to reclaim them.

Having said that, I do want to speak to the legislation. I think there are some important issues that are not dealt with in this piece of legislation, issues that reflect on this legislation itself and our opportunity to reclaim significant lands through taking new environmental cleanup measures, but also measures—things that are absent in this bill—that reflect on the general tenor of this government's approach. My colleagues have discussed a number of those, and I want to follow up.

#### 2030

Let me begin by saying what I think is right about this bill. I think the intent of this bill is right. Why would anybody object to wanting to reclaim land that can be

used for constructive purposes? Why would we want to see old industrial sites simply lying there with probably, in most cases, significant environmental hazards? So the intent of the legislation is good.

But as my colleague from Hamilton Mountain said earlier, the problem with what this government so often does is that they put forward something where everybody would agree with the goal—usually we agree with the title—but there is nothing to go with it to make it meaningful. So it becomes feel-good, “Yes, we support the direction” kind of legislation, but what’s really going to make it work?

I’m reminded of a bill that we dealt with in committee yesterday, in the social and justice committee, Bill 30, this government’s sort of front piece on its measures to deal with organized crime, to allow the seizure of the assets of those who are involved in organized crime. A good piece of legislation—in fact, we’re going to support that piece of legislation—but we have enormous concerns that there will not be resources put into that legislation to investigate, let alone to prosecute these who are involved in organized crime. And without those kinds of resources, that piece of legislation becomes meaningless.

As my colleagues have said this evening, the same thing holds true for Bill 56, and then some. Without the resources, the good intent of this legislation will never be realized. Well, what’s actually substantive in the bill? It’s a very thick bill, so you look through it and say, “What’s substantive?” Perhaps you would say what’s substantive is that the Ministry of the Environment is given clear direction that they will do site-risk assessments. Good idea? Absolutely. Who else would do site-risk assessment? Who would set the standards, other than the Ministry of the Environment? So we agree with that—except there are no time frames, there are no deadlines, there are no standards actually set out in the bill that have to be met. As my colleagues have said, people keep talking about this being a framework. It is a framework; it’s nothing more than a framework.

When you add to that the fact that this new responsibility is being given to the Ministry of the Environment, and given the scope of brownfield sites in existence, as my colleague from Ottawa Centre has said, given the sheer amount of work that could be entailed in reclaiming the brownfield sites that exist across this province, it’s going to be a significant additional responsibility for the Ministry of the Environment to take on just the assessment of what needs to be done to clean up each individual site. I ask you, how can the Ministry of the Environment possibly take that on without additional resources? This is the same Ministry of the Environment that had its budget cut by 50%. I know we’ve said that over and over again, but over and over again there have been issues of real concern about the environment that have come to this Legislature and we know the Ministry of the Environment is not able to respond, however good their intent is, because they simply do not have the human resources to be able to investigate concerns, to be

able to prosecute concerns, and in this case to take on the new responsibility, what could be an onerous responsibility of doing site assessments on each of the brownfield sites.

There is something that the minister, in presenting Bill 56, held up as something substantive, and that’s the limitation on liability for a new landowner. It means that a new landowner can take over a piece of land and have no liability as long as they follow the Ministry of the Environment prescribed cleanup procedures, they meet the site assessment guidelines. And the same thing is true, I hasten to add, that if municipalities take over for tax purposes abandoned lands, they have no liability to actually carry out the cleanup on those lands. So there’s a sense that maybe there are going to be new owners, that these lands are going to be taken into new ownership, and you want to restrict the liability of those who are the new owners. Fair enough, maybe, but I guess the question comes then, who is actually going to take responsibility to make sure the cleanup is done?

The Ministry of the Environment is to set the standards for cleanup of each of these sites. They’re supposed to do that with depleted resources. But there is in fact in this bill no requirement that there actually be the cleanup of any brownfields site in the province of Ontario. So again, without resources the bill becomes public relations, feel-good and nothing more than that.

I suppose that if the site that’s being considered has high economic value, it might be worth the cost to a private developer to buy the land and undertake the cleanup of the site within the ministry guidelines. I was concerned when my colleague from Kingston and the Islands said that in his experience in his home community there was not a single situation in which the private developer felt it would be worth his cost to take on a brownfield site, and there’s nothing in this bill, other than the limitation on the new owner’s liability, that would make the prospect of reclaiming a brownfield site any more profitable to a private developer.

I look at the fact that Toronto has 4,500 hectares of brownfields. That’s equivalent to 30 High Parks. That’s a lot of potential land to be developed. I suspect the private sector is going to look at that land and say, “Is there a way we can use this land, where land for development is so scarce? Is there a way we can profitably take this land, reclaim it and use it for development?”

I realize I’m getting to the point where I’ve been here a long time and I’m starting to get a little bit cynical. You frown, Mr Speaker, because you’ve been here as long as I have. I’m sure you don’t share my cynicism. I just have a little niggling concern that what I see in this act is a way of encouraging the private sector to buy the lands that have potential significant economic value, and to set the bar for reclamation low enough that the private developer can make a pretty reasonable profit by developing the lands.

I’m particularly concerned when my colleague from Kingston and the Islands says he’s not seen a site that was profitable for the private developer to come in and



reclaim, and that the only way there's going to be reclamation is if the Ministry of the Environment and this government try to set the bar low enough that the private developer can come in, meet that low standard, develop the land and make a fairly sizable profit.

I hope that is just being overly cynical, but it's a little nagging doubt I have. It flows from the fact that we have before us a government that has clearly made corporate well-being its priority. We know that because their response to the concerns of September 11 was to accelerate the corporate tax cut, a tax cut that of course does nothing to help companies that have been hard hit and aren't realizing profits at the moment. It doesn't create jobs. It puts wealthy corporations in the position of being 25% lower than their competitors in the United States. It seems to be a somewhat unnecessary, undue gift to large corporations. That gives me just that little bit of doubt about whether this bill could be used as a way of providing that greater measure of profit to some of those large private corporations that might have the resources to undertake land reclamation.

If I set my cynicism aside, let's assume that the people who are really going to want to develop these hectares and hectares of land available for development are the municipalities. The municipalities certainly are a focus for the government in terms of their expectations; at least in the bill they focus on municipalities as being the ones that are going to do a lot of the land reclamation.

As my colleagues have said, how are municipalities going to do that? We hope they will. There are a lot of public uses for the land that can be reclaimed: parks, waterfront development, schools for the new developments that presumably will be in place if there are some private sector developments, maybe social housing, although as my colleague from Ottawa Centre said, isn't it ironic that this bill is being carried forward by the Minister of Municipal Affairs and Housing when this government has absolutely no responsibility for social housing any longer? This concept of reclaiming brownfield sites for social housing development might have been really exciting if there had been any provincial commitment to social housing left.

The province will say, "We've given it to the municipalities. The municipalities are in the best place to do it. They can buy these lands. They can reclaim the lands. They can build the social housing." The municipalities are going to say, "And what are we going to do that with?" The government has an answer for them, an answer built right into the bill. They say, "Municipality, you can exempt education taxes for a period of time to allow yourself some dollars to be able to do the reclamation of these brownfield sites." I'm not sure what the Minister of Education or the Minister of Finance is going to say to that. Any municipality that decides to suspend their education tax—those education tax dollars, as surely the government knows, come right into the government's coffers. They're using that municipal education tax to pay a fair shot of the education costs.

The government likes to say its paying 100% of education costs. We know that's not factually true. We

know the municipal education tax still contributes a great deal to the cost of education. So is the government going to come and substitute for that municipality that chooses that option? Are they going to put the education tax dollars in or are we just going to see more education cuts? Maybe the municipality says, "We probably can't do that even though the act technically says we can. It also says we can suspend municipal taxes." What municipality can afford to suspend any of its municipal tax base? These are the same municipalities that have services downloaded to them by this government in a never-ending way.

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I have less than two minutes. I can't begin to talk about the outstanding costs this government has downloaded to municipalities and hasn't even come up with its share of the costs, let alone the municipal share of the costs. That is true of ambulances, where we have no cost agreement for the sharing of provincial and municipal costs. It's true of public health, where we see the government planning to cut mandatory programs and refusing to accept any responsibility for even 50% of the funding of mandatory public health programs.

We know it's true in social housing. We now that this government, when it took the report of David Crombie—Who Does What, how you divide the costs reasonably between the province and the municipalities—and totally ignored the report. They brought in their own scheme, supposedly revenue-neutral, and left out of it any cost component for social housing. They just said, "The municipalities can deal with that."

The municipalities are finding, and I hope the government is understanding this, that they have had an undue financial burden downloaded to them, which makes it really ironic that the other options offered by the government to the municipalities are grants and loans. From what sort of municipal money tree are municipalities supposed to get the money to make grants and loans? Isn't it wonderful that this bill limits them to grants and loans that only cover the cost of the reclamation? I don't know where they are going to get even a fraction of the dollars they could offer as a grant or loan. To whom exactly are they offering this grant or loan? Are they now to be the ones that subsidize private sector development in their communities? Is this to be the local municipal development option?

Development fees: suspend the development fees. As the clock ticks down, development fees are supposed to be used to provide the services for the new residential development that's supposedly going to happen on these reclaimed lands. There is nothing here that works.

**The Deputy Speaker:** Questions and comments?

**Mr Michael Gravelle (Thunder Bay-Superior North):** I want to congratulate the three members of our caucus, the member for Kingston and the Islands, the member for Ottawa Centre and my colleague from Thunder Bay-Atikokan, for their very thoughtful remarks regarding a bill that could have been a good bill, a piece of legislation, Bill 56, that I think does need to come

forward. It's an opportunity, and that's probably why many municipalities and organizations are generally supportive of it, but there's a really big problem and the problem is that there's no provincial funding in place, a lack of resources, something we see ever so frequently with this government. What appears to be on the surface every now and then, something that we think may be positive, is really held back by the fact that this can't go forward in any significant way unless there are provincial resources in place.

I think it was the member for Kingston and the Islands who was talking about SuperBuild, and specifically he was talking about OSTAR, the Ontario small town and rural development fund. To the member for Thunder Bay-Superior North, I can certainly tell you, and you would know this yourself, coming from a large riding, that there are many municipalities that applied for funding under this program 15 or 16 months ago, certainly at least a year ago, and are waiting for support through the program and nothing at all has come forward. That has been a huge frustration for municipalities.

It connects very much to the Walkerton disaster in the sense of water regulations being tightened, something we don't disagree with, but for the municipalities to have the ability to do this, they need to have support. It's another example of the frustration that's faced by municipalities, especially those that might want very much to take advantage of what's in Bill 56 but can't do so unless they receive the provincial funding support that is very much needed.

Without the resources, the legislation becomes nothing other than a bit of a shell and that isn't good enough. I hope the government is listening and fixes this.

**Mr Bartolucci:** I'd like to thank my colleagues from Kingston and the Islands, Ottawa-Centre and Thunder Bay-Atikokan for what I think was an excellent presentation, a presentation that certainly outlined realistically, thoroughly and honestly some of the problems we have with this bill.

Certainly the biggest problem, as has been outlined by the three main speakers and certainly by my colleague from Thunder Bay-Atikokan, is the lack of provincial funding. That is such a big problem across all Ontario when it comes to the government and its speed to implement legislation. I think the member from Thunder Bay-Atikokan outlined it so well when she said the intent of the bill is good, but intent isn't enough. You have to provide the tools that will ensure the reclamation of that land is successful, that in fact we will get private sector partners to want to help in this. I think the member from Ottawa Centre said it very, very well when he said in his presentation that we are all in this together—the three levels of government and the private sector—but it has to be driven by a government that is committed to the people in Ontario.

This legislation, although its intent is good, does not have the commitment necessary to be successful, because you've chosen again to download those financial responsibilities on someone or some group other than the

provincial government. It's certainly not fair, it's a recipe for disaster and we hope you would reconsider that somehow in this legislation or through regulation.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I'm very happy as well to add my voice of support to the members from the Liberal caucus this evening who have had the opportunity to speak on the proposed legislation. I share their concern about the bill. It is very noble in its intent. It addresses an issue that has been a concern of some long standing in many communities across Ontario. Certainly I know this particular matter is a very serious concern in a number of communities in my riding.

While the Ontario Liberal caucus is happy that it's an item the government has chosen to pay some attention to, I have to say that we on this side of the House are profoundly disappointed with the conspicuous lack of resources that go with this bill. I think we all know that if legislation is to be effective in the province of Ontario, then included with that must be the financial resources to ensure the legislation can be monitored, adhered to and carried out. Sadly, those resources are not available with the brownfields bill.

I congratulate my members. This is an opportunity in the Legislative Assembly when we bring forward these very worthy points for the government to consider, that the government understand and respect the points that are made by members of the opposition and recognize that they do have an opportunity on behalf of the people to act in a responsible way, to recognize that if the bill is going to do what they claim they intend it to do, it is certainly going to need some amendment but most definitely an infusion of financial resources, which at this point in time we've not seen to be the intent of the government.

I commend my members. I think they've done a splendid job this evening outlining what the government must consider to make this bill successful.

**The Deputy Speaker:** Questions? Comments? Then response.

**Mr Patten:** On behalf of the member from Kingston and the Islands, the member from Thunder Bay-Atikokan, myself and my other colleagues who have made comments here, rather than reiterate things, I would say to the government to consider why there is a hesitancy on behalf of many people who have knowledge of and interest in the environment, and I would refer the government to the passage of Bill 76, Bill 57 and Bill 107.

Bill 76, changes to the Environmental Assessment Act, ties the hands of the Environmental Assessment Board to adequately review major environmental projects. No requirement that major new landfill sites be referred to the board for a full environmental review. Can you imagine that?

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Bill 57, changes to the Environmental Assessment Act, gives the minister sweeping powers to exempt any person, activity or thing from the Environmental Assessment Act. And it gives the minister sweeping powers to



off-load responsibility for enforcing certain environmental standards on to municipalities without resources.

Bill 107 downloads to municipalities the responsibilities for 230 water and sewage plants. The government refused to accept, at committee, a Liberal amendment to the bill that would've prohibited municipalities from privatizing these particular plants.

I place this particular case before those on the government side to consider these things. In a nutshell: good words, no resources; lots of identifications about what the problems may be, no substance behind them for true accountability. There is little evidence of initiatives in any stringent manner to assure the people of Ontario that our environment in our cities will be protected.

**Mr Christopherson:** I appreciate the opportunity to join in this most important debate. Certainly for communities like mine in Hamilton, and a lot of the other established—particularly those that have a history of industrial use—communities, this is a major crossroads for us. At the outset, the first thing I have to do is take great umbrage with the earlier comment of the Minister of Municipal Affairs that previous governments had done nothing about this. First of all, there was nothing said over here that would give him cause to say that, but I gather he was taking certain poetic licence there.

The fact of the matter is that in the early 1990s, under the NDP government, there was an investment made in a piece of property in Hamilton without which our city would not now enjoy what many of us, most of us, consider to be the jewel in the crown of all the natural beauties that we have in Hamilton. I must say that, with the addition of the other former suburban municipalities attached, there's very little to be had in the province of Ontario that we don't have in Hamilton in one form or another. One of those right now is one of the most beautiful, still evolving and still growing, waterfronts to be enjoyed anywhere.

To go back a bit, we had a piece of property on our harbourfront that was called the Lax property, named after the people who owned it. It had been used as an industrial setting. The land was extremely contaminated, to the point where it had to be capped, fenced off and people kept away. There were a number of people who were arguing that the city would be better rid of the whole thing, to sell it back to industry and allow it to be developed, or redeveloped, as industry. But, of course, they were still left with this dilemma of the contaminants.

Fortunately, there were two New Democrats—just happened to be New Democrats—on council: Brian Hinkley and Alderman Charlton, younger brother of a former minister in this place, Brian Charlton. They were the ones who both first argued that it shouldn't be sold off for industrial use, that there was a real opportunity for the city to take back the waterfront and give it back to the people of Hamilton, because there really wasn't a whole lot of reason to go down there at that time. There wasn't much to see, there was certainly nothing to do, and it was not a people-friendly environment by any stretch.

So first they argued that it ought to be kept and then, second, they were the ones who also determined and

brought to the attention of environment officials in the area that there was stuff and goop oozing up through the ground when you walked around. Talk about brownfields—literally nothing was growing there. This was back in the early 1980s. So we're talking about two decades ago, long before the things we've talked about in our discussion of Bill 56 were even thought of by most people.

Fortunately, two good things happened. The first was that the city council ultimately had the wisdom to declare the lands would be used for recreational purposes and would indeed be redeveloped and given back to the people of Hamilton so they could have their waterfront back. Keep in mind that Hamiltonians had not had or felt their waterfront was a part of their neighbourhood or community since before the turn of the century.

Second, very much contrary to what the Minister of Municipal Affairs has to say, there was an NDP government at Queen's Park that believed in investing in communities for the future. The city of Hamilton, in their capital budget, had set aside enough money to develop the old Lax property into a park. In fact they had excellent plans, but they were all on the drawing board. They had plans, and they had the money. The one thing they didn't have was the multiple millions of dollars it would take to clean up that land, because obviously you couldn't do anything with it until you cleaned it up.

Our government stepped in with almost \$10 million of provincial money. That's a lot of money; in the context of the Hamilton budget, an enormous amount of money, money that would never be found to do that cleanup. But being a senior level of government and having access to more streams of revenue, it fit within the vision and the budget we had as a provincial government for investing and reinvesting in communities. Let me say that it's a bloody good thing we did, because this government would never have been there and that land would still be sitting there polluted, unused and wasting away.

As it is, it is very much the spark of renewal in the old and the new city of Hamilton. I mentioned earlier that I was speaking with Herb Wodehouse and Joyce Evans, both Hamiltonians who work in Hamilton. I mentioned that Herb has his office at Main and Ferguson, not that far from my constituency office, and he lives in Westdale. Joyce lives in Dundas and works in Ancaster. We agreed that if we were going to rejuvenate the downtown of Hamilton—like many other downtowns that members in this place have, ours is in decline and needs some attention. Goodness knows, lots of attempts have been made, but we haven't yet found the key. When we were talking downstairs, as Hamiltonians, we agreed that with the success of the waterfront, the future success of downtown Hamilton was very much connected with our ability to ultimately link that waterfront and what it means and what it presents, economically, socially, and I would even go so far as to say spiritually—it's a beautiful place to be, and I urge any member of this House, if you're in Hamilton, to take a quick drive down. Quite frankly, you won't believe it's Hamilton, if you still have the old image of Hamilton.

What we said was that you need to take all that life and hope and economic stimulation—because I'm going to talk about the port of Hamilton in a few minutes, which ties very much to this—and we have to have that link with downtown Hamilton, so that when you think of downtown Hamilton, you think of the waterfront, and when you're standing at the waterfront and think of the waterfront, you think of downtown Hamilton. We need to make that linkage happen. I'm going to speak later on about a number of exciting projects that are doing that, but we could do so much more if only Bill 56 came with some money.

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**Mr Johnson:** Always after money.

**Mr Christopherson:** I hear the member from Perth-Middlesex say, "Ah, sure, money." You still don't get it. I just said to you that a \$10-million investment that was made in the early 1990s is now paying off in spades in the new millennium. That's not a corporate tax cut, so he probably doesn't want to hear about that, because there are not going to be a lot of corporations lining up saying, "Thank you, thank you. Here's your political contribution for giving us the money from the Ontario treasury vis-à-vis corporate tax cuts." No, instead what we have is thousands of citizens who got their waterfront back.

If you want to talk about value, capital value, talk to the homeowners in the north end of my riding, in the north end of ward 2, about how much the waterfront has enhanced their quality of life and the value of their property. It has given a whole new meaning to the north end.

As a result of our investing that money—the absolute truth: Mayor Morrow on one phone, the Chair of Management Board on the other, and I acted as intermediary between the two as we cut the deal that got the \$10 million. We sealed it in that phone call. That \$10 million allowed that property to be cleaned up. First it was called Harbourfront Park; now Bay Front Park. Absolutely beautiful. I want to say again, kudos to our local municipal planners, who had an exceptional vision of what it could be. With the proper political support—and yes, dollars—it's now a reality. For the record, we also brought in between \$3 million and \$4 million for the development of Pier 4 Park, which is completely dedicated to kids. Thousands of children from all across Hamilton have a better quality of life a stone's throw away because that development took place. Between the two, and they're pretty much side by side, Bay Front Park and Pier 4 Park, we are getting our waterfront back.

Go to municipalities like Ottawa—beautiful. They have the advantage of being the capital city and what I believe is called the capital commission fund, something close to that, that adds federal money due to the fact it's the capital city. I don't have any problem with that. They have a beautiful waterfront. Sault Ste Marie did some wonderful things with their waterfront. We are very proud as Hamiltonians that we got our waterfront back, but it could not have happened without the senior level of government, in this case Queen's Park, playing a partnership role.

What's interesting about this, in the context of Bill 56, talking about brownfields redevelopment, is that, believe me, that's about as good an example as you're going to get, next to the second example we have in Hamilton, which is LIUNA Station. I'll talk about that in a moment.

But the port of Hamilton, side by side with the west harbour area, where we now have recreation. People use it; we have families down there and picnics and festivals. There are fundraising marathons. Anything you can think of that you would want to do in a beautiful, open space, in an urban setting, happens at Bay Front Park. Boy, we've had great fights about this in Hamilton, but at the end of the day I think we're creating a unique way to approach the coexistence of a park, a people's area of the waterfront, next to one of the most successful ports in all of Canada.

Many Hamiltonians aren't aware of the success of the port of Hamilton. Let me just read a couple of things into the record. Number one, it's considered one of the top 10 ports in all of Canada based on tonnage. About 12 million tonnes of cargo and 700 ships go through our port in a year. The stats from 1997 show that 25% of all bulk tonnage and 60% of all general cargo came through the port of Hamilton. That's in all of the Canadian Great Lakes, the entire Great Lakes system. We have seven and a half kilometres of piers and 15 warehouses comprising 1 million square feet. It's the largest port system for inbound cargo in all of Canada. And the Harbour-West sailing school, rated one of Canada's finest, puts between 2,000 and 3,000 sailing students per year through its courses. In addition, we still have Stelco and other heavy industries right on the port sites, and coexisting with them are Bay Front Park and Pier 4 Park.

We've still got a long way to go. We're beginning to get natural wildlife back. Many species of fish and other water life are returning because of the remedial action plans we've had for Hamilton harbour itself. This government has not been there to the extent we would have liked. They had other priorities for their money—our money—and unfortunately it wasn't Hamilton's waterfront and nobody else's waterfront, other than maybe Toronto's because of the political pressure and the attention. Of course the whole Olympics proposal brought that to the forefront.

Were it not for our being there almost 10 years ago, everything I've talked about tonight in terms of bragging with great pride about Hamilton's waterfront wouldn't be possible because it wouldn't exist. The hope that we have for our downtown and the hope that people in the north end of Hamilton and all across Hamilton have for the downtown and other areas associated with and adjacent to the downtown wouldn't be there. All that hope wouldn't be there. That's the kind of difference that playing an honest and true partnership role can make.

So I take great exception to the minister saying that no government before them did anything about brownfields. I would argue that while we may not have brought in Bill 56, we at least had the courage to put our money where our mouth was, unlike the government that takes a nice



tiny little baby step—that's what it is—but doesn't commit the kind of money needed to make a real difference.

Let me say at this point that we need to juxtapose what's happening in Ontario—and by the way, the feds can't get off scot-free here either. They've got an obligation as the most senior partner to play a role. Why do we know that is the formula that works? Because when we look to our neighbours to the south, the United States has been in this kind of business for almost two decades. They've got legitimate partnerships, meaningful partnerships, between their municipalities, the state and the federal government.

I think sometimes those of us around my age, give or take, have had a tendency in the past to be a little bit smug that, on matters of environment or the minimum wage, we're light-years ahead in these kinds of important issues to society. The reality is that they're well ahead of us in the United States in terms of brownfield redevelopment, and for the record they're well ahead of us on the issue of minimum wage. The minimum wage in the United States has been raised twice since this government came into power, and in Ontario it hasn't been raised once. With all the billions of dollars that have been made from the economic boom, not one penny went to those who make minimum wage. So we need to learn from the American example that real partnerships can make a real difference.

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It's not just the fact that people in Hamilton and other communities have a nice place to go on a sunny day and enjoy the beauty of Hamilton Harbour, the beauty of Bay Front Park and the beauty of being able to turn around and see the panoramic view of the escarpment behind them. There is also an economic element—a huge economic element—to brownfield redevelopment.

If ever there was a government that should be putting big money into this, I would think it should be this government. They're the ones who keep saying they know best about the economy and they're the ones who care about business and they know how to manage things. Here's this great opportunity where you don't even have to pay the whole bill. Go into partnership with the feds and the municipalities and make a significant difference. Give municipalities the tools to be partners in generating the economic wealth of this province. None of that is going to happen with Bill 56.

I've talked about what we did 10 years ago working with Hamilton in terms of bringing back the waterfront and developing a brownfield site, but Hamilton has gone further than that. I'm raising Hamilton because, (1) I'm proud of what we've done, and (2) this government needs to be reminded that they are nowhere near away out in front with Bill 56. Communities like mine are way ahead of you. In Hamilton we have the environmental remediation and site enhancement program, ERASE, and the community improvement plan, CIP. Together, they are targeting the redevelopment of up to 3,400 acres of

former prime industrial land, some of the best former industrial land in all of North America.

You bring out Bill 56. Seventy-three pages of words—no money. Open the envelope—no cheque. For our project alone, Hamilton has put up half a million dollars. That is in the face of all the downloading my friend the former mayor of Kingston talked about a little while ago and that all of us here have talked about, the horrendous cost of downloading services to municipalities without giving them the dollars. In spite of that, to their credit, Hamilton city council found half a million dollars to put into our downtown and brownfield redevelopment. Where's your money? Where is the federal money? Hamilton can't do it alone. I think what we've done already is tremendous. In fact, that's why the praises of Hamilton were sung at a conference on brownfields last week. A number of them are being held across the province; this one was held in Hamilton. Virtually every speaker praised the initiatives of the city of Hamilton.

Just think what we could do in Hamilton and what could be done in Thunder Bay, in Sudbury, in Windsor and in all the other communities if there was an actual partnership with the provincial government and the federal government. We would make a real difference. Instead, our municipalities are being abandoned by this government while they stand up and try to take all the credit for coming out with words. Good words, right direction—not that radical; it doesn't take us that far—but no money. They should be the ones, of anybody, who understand that it takes money to make money. In this case, this is good reinvestment.

Again, I'd like to advise the House that the ERASE plan I mentioned in the city of Hamilton is broken down into five subcomponents: the redevelopment grant program aspect; the study grant program; the planning and development fees program; the redevelopment opportunities marketing and database program; and the municipal property acquisition, investment and partnership program. That's what we're doing in Hamilton. In addition, and that's why I very deliberately linked the waterfront, brownfields, the old Lax property and downtown, because in conjunction with the ERASE program, we've also got the downtown revitalization program, made up of four key components: the commercial property improvement loan program; the Hamilton downtown convert/renovate-to-residential loan program; the Gore and core heritage 2000 programs; and the community heritage trust fund.

That's taking the issue of brownfields redevelopment—and remember, brownfields are defined not just as vacant, contaminated land, but also underutilized land. Ours is a community that takes this seriously. We only wish that you had taken it as seriously when you had this opportunity.

I talked about the economics. The tax arrears on brownfields in Hamilton are approximately three and a half times the annual taxes collected. That's as the property is valued now, not its redevelopment value. There is significant money and revenue to be had to pay

for needed infrastructure, to pay for the downloaded programs that you've put on to municipalities like environmental protection, public health, transportation and housing. They all have to be paid for somewhere. You obviously don't want to pay for them, and yet for a fraction of the cost of those programs, you could help the city of Hamilton find the money. It makes a lot of sense. It makes a lot more sense than another—yet another—billion-dollar corporate tax cut.

I just want to put this on the record too: in the project areas, meaning where the ERASE program is targeting, the amount of money that's in tax arrears right now—that's money that's already owed, based on the value of these vacant or underutilized lands—is over \$13 million. When I think about the fiscal pressures on my city council, I think about what they could do with \$13 million.

I mentioned that the conference last week was held at another brownfield site. They held it at what is now called LIUNA Station. It used to be the old CN station. It was abandoned about 10 years ago. It's a stone's throw from the waterfront, it's juxtaposed nicely between the waterfront and the downtown of Hamilton—a beautiful building; an absolutely extraordinarily beautiful building, and we came so close to losing it.

It's interesting: who saved it? I'm sure the government members would never guess who saved it. They certainly wouldn't expect it because it goes against everything they've ever said and done in this place. It was a union that saved it—LIUNA. The Labourers' International Union of North America stepped in, bought the property, redeveloped it, and now they've given us one of the most beautiful conference-banquet centres, office centres in all of Ontario. I say that with an absolutely clear conscience. If anyone has a chance, see it. I've mentioned that the waterfront is not that far away. You just walk into the main area—it's absolutely stunning. There are a lot of craftspeople in this union. They put their time, their effort, their skills, their heart and soul, their blood into the place and it shows. I haven't met anybody who has been there that hasn't walked away feeling the same way.

2120

Bear in mind that the same properties I'm talking about not that long ago had a waterfront that no one ever went to and a train station that was fast becoming derelict. In less than 10 years, with an honest partnership between Queen's Park, a committed city council and community groups like LIUNA, I'm able to describe to you two outstanding pieces of beauty: one natural, one human-made.

Of those 3,400 acres I talked about, so much is land that is directly between the waterfront, LIUNA Station and downtown. All we need to do is keep going. The city is ready to do it.

To their credit, LIUNA is also in the midst of another project. On Queen Street North, at a former wire manufacturing plant, they're also building an \$18-million nursing home.

We know that if you truly want to reinvigorate an area economically, one of the things you've got to do is bring

people there. The easiest way to bring people there is to have them live there, and you have a mix of housing so you have people with different backgrounds, different cultures, different incomes, and then you start to support small business in the area. It's not that big a stretch to think of a ribbon, an economy, that takes you from downtown all the way down through to the waterfront.

We all know in this place, and the reason I keep bringing the downtown of Hamilton into this, is that every study that's ever been done worldwide has shown that if you lose the downtown of your community, if it begins to deteriorate and rot, you lose that sense of community; you no longer have a city of community.

Conversely, where you have a downtown that's thriving, that draws people in, where there are different activities and different people from different age groups doing different things, when you have that kind of vitality in a common area known as your downtown, that attitude and that economy spread to the balance of the community.

In a community like ours, with so many different pieces—former Mayor Morrow spoke at the Canadian Club the other day and said, rightfully, that Hamiltonians need to be aware that the majority of our land in Hamilton is now farmland. That is a huge advantage for all of us in Hamilton.

My time is rapidly running out for this evening, but I do want to make sure that I put on the record part of an editorial that was written as a result of the conference that was held in Hamilton. By the way, if I get the opportunity to finish this leadoff, I will read quotes into the record that show that every presenter who spoke at this conference, which was held at LIUNA Station, spoke to the absolute, total need for the provincial and federal governments to be in partnership with municipalities if we're going to redevelop brownfields.

What did the Hamilton Spectator say editorially? This editorial was written by Gord McNulty. They said in part, The headline is, "Brownfield Work Requires Federal, Provincial Funding." That's their heading.

"If ever a community had something to gain by transforming derelict industrial sites from eyesores into showcases for inner-city renewal, it is Hamilton. Our city, struggling to overcome an image problem, has every reason to be a national leader in redeveloping abandoned factories, warehouses, gas stations and other vacant lands that are ripe for a new lease on life....

"Better late than never, Canada's provincial and federal governments are taking notice. However, they haven't yet made brownfield remediation a true priority. It is high time that they show more initiative.

"Hamilton is far ahead of the senior governments in taking action. The city has designated two areas of brownfield lands in old Hamilton, including the sprawling north-end Bayfront industrial area with up to 200 sites that could be transformed. It has a \$500,000 capital fund for pilot projects, likely in partnership with private developers. This is an excellent start but the costs of



brownfield redevelopment are too great for Hamilton and other cities to manage alone.

"For its part, the province is long on good wishes but short on funding. It has approved Hamilton's tax-incentive brownfield strategy and is proceeding with legislation that would remove legal and regulatory barriers to cleanup. Ottawa is on the same track, but moving more slowly. It is considering incentives such as income tax breaks, mortgage assistance and depreciation write-offs for developers....

"Municipalities require more than handshakes from the provincial and federal governments. By becoming directly involved to help communities like Hamilton regain a thriving inner-city local economy, they will ultimately create a wealthier province and country.

"Hamilton has unlimited potential to rebuild its appearance, image and prosperity through brownfield renewal."

By and large, this is an editorial board that is supportive of this government's agenda, and they have said virtually the same thing that we all, on this side of the House, have been saying to you, and that is, "Nice words,

nice little steps in the right direction, but without money it won't work."

Let me say to the government, especially to those who are rolling their eyes, and I will assume that to mean, "There they go again, asking for money," this is an investment. You always act like, if money is spent in the interests of the public, somehow it's wasted money. This is an investment. It brings returns. It brings back a stronger economy. It brings in taxes. It builds communities. It allows municipalities to not just survive, which is all that many of them are able to do under the downloading you've done, but actually thrive and plan for the future and be able to pay for that future. It's a total win, win, win. Now the question is, in terms of dollars, when, when, when? When will you put money with your words and make a real difference?

Speaker, I see you anxiously looking at the clock, so I will cede the floor to you.

**The Deputy Speaker:** Thank you. It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 2128.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 24 October 2001

Mercredi 24 octobre 2001



Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 24 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 24 octobre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### FRANCHISE BUSINESSES

**Mrs Marie Bountrogianni (Hamilton Mountain):** Currently in Ontario, nearly 40,000 franchise owners are vulnerable to the arbitrary termination of their franchise agreements.

Franchise owners are people like my constituent Janice Snyder, an entrepreneur who invested her savings and for the last eight years has successfully operated two franchise stores for Grand and Toy. She also employs 30 people.

I find it unbelievable that today in Ontario a franchisor is under no obligation to provide appropriate notice or compensation when ending an agreement with a franchisee.

This is exactly the situation my constituent and 26 other franchise owners in Ontario find themselves in. It is not news to this government that the majority of problems in franchising occur after signing the contract.

Expert after expert advised that the Arthur Wishart Act should include an alternative dispute resolution mechanism outside the court system. More importantly, they advised that the act include an outline of fair commercial standards when it comes to the performance, transfer, renewal and termination of franchise agreements.

I want to make it clear that this government was aware that franchise agreements are one-sided, lengthy, non-negotiable contracts drafted by the franchisor.

The franchise owners of Ontario deserve better from their government. Ontario entrepreneurs are the engine that moves our economy. They are women and men who are willing to take risks and work hard. All they ask for is a level playing field guided by a principle of fair commercial practices.

#### CROWN LAND MANAGEMENT

**Mr John O'Toole (Durham):** I'm pleased to rise in the House today to pay tribute to the citizens of Orono and Clarington for their stewardship of the province's lands in their community.

Last Friday, I attended a ceremony for the signing of a new and creative partnership between the Orono Crown Lands Trust and the Ministry of Natural Resources. This agreement covers the management of over 1,000 acres, located west of Orono along Wilmot Creek. This land includes woodlands, meadows, trails and an outdoor education centre. It is one of our community's natural treasures.

The trust will coordinate the activities of the site, maintenance and management. At this time, I would like to congratulate Mr John Thomson, chair of the Orono Crown Lands Trust, and members John Slater, June Smith, Jim Parker and Paul Jones.

The advisory committee to establish the management plan also includes the outdoor educator, Bonnie Anderson, of the Kawartha Pine Ridge District School Board; Norm Monaghan, of the Ontario Federation of Anglers and Hunters; Tracy Osmond; Mark Peacock, of the Gananaska Region Conservation Authority; Rayfield Pye, of the Durham Region Field Naturalists; Henry Sissons; Kevin Williams, of the Durham Stewardship Council; Mayor John Mutton, councillors Robinson, Schell and Trim, and Heather Brooks of the municipality of Clarington.

The committee, and indeed the entire community of Orono, deserves to be congratulated.

I would like to commend the Minister of Natural Resources, John Snobelen, and the staff of the Aurora district office for their vision in supporting this partnership. I'd also like to recognize the grade 2 students from Ontario Street Public School in Bowmanville, who helped in the celebration. They presented me with a snake, which made me feel rather uncomfortable, because I've never associated with things like that in my life.

#### CONSTRUCTION LABOUR MOBILITY

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** The former Minister of Labour and today's Minister of Finance, Jim Flaherty, made all sorts of promises to Ontario construction workers during the last election. He spent millions of taxpayers' dollars on billboard, newspaper, radio and TV ads. He also passed Bill 17, the Fairness is a Two-Way Street Act.

Ontario construction workers are still on a one-way street. Last week, Black Electric of Ottawa called me to tell me that even though they have a Quebec master electricians' licence and were the lowest bidder by 60%, they lost the job on a federal public works contract in Hull,



Quebec. Was it because they were from Ontario? This contract was awarded to a Quebec contractor, even though the Quebec contractor was 60%, or \$167,000, higher. This is taxpayers' money.

The present Minister of Municipal Affairs and Housing and the present Minister of Labour, without the consent of the city of Ottawa, opened the doors to Quebec master electricians in Ottawa. But it appears the doors to Ontario master electricians to work in Quebec are still closed.

The Ontario-Quebec construction labour mobility agreement is up for renewal in November, and my leader Dalton McGuinty and I urge the Ontario Minister of Labour to stand up for Ontario construction workers when he negotiates this new agreement.

#### PORK PROCESSING PLANT

**Mr Bert Johnson (Perth-Middlesex):** I rise in the Legislature today to tell my colleagues of a new pork processing plant that is being built in Mitchell, in my riding of Perth-Middlesex.

West Perth Packers is building a state-of-the-art hog processing facility, which is expected to begin operations in June 2002. When the plant is fully operational, it will process 5,000 hogs a week and employ 60 people.

I realize that 60 jobs may not sound like a lot to some of my urban colleagues. But in a town of 3,600, those 60 jobs represent employment for almost 2% of the population.

West Perth Packers will further add to the local economy by contracting with small independent abattoirs to slaughter their hog requirements, thereby supporting local entrepreneurs and allowing them to focus on the value-added part of the business. Although Perth is a leading pork producer, this will be the first dedicated processing plant in the county.

Rural Ontario has always produced great agricultural products, but the recent move has been toward attracting value-added businesses to those communities. This plant is a great example of just that.

I tell you about this today because a groundbreaking ceremony for the West Perth Packers' plant will be held tomorrow. Although I won't be able to be there myself, I want to extend my best wishes and the best wishes of all members of this House to those who have made the \$10-million investment in this facility.

#### CHILDREN'S MENTAL HEALTH SERVICES

**Mr Dwight Duncan (Windsor-St Clair):** At 5 o'clock this afternoon, a group of advocates on behalf of children's mental health services will be holding a rally in my home community of Windsor, Ontario. Led by George Johnson and Joanne Johnson, that group is going to address yet again the chronic shortage of children's mental health services in our community.

Neither my colleague from Windsor West nor my colleague from Essex nor I can join with them today because of our obligations in the House, but they know we are in full support. They know we understand that the waiting list is far too long for a whole range of children's services.

They know that the broken promises our finance minister—I should say that our finance minister met with them last year and, guess what, didn't do a thing about it, not a thing. There's still a waiting list of over 750 kids waiting for very basic and elementary mental health services ranging from counselling on through.

**Interjection:** It's a shame.

**Mr Duncan:** It is a shame. It's a crying shame, and it's a problem that's prevalent not only in our community but indeed right across the province. Member after member after member on the government side talks about what they've done in health care, knowing that those statistics are nothing but a smokescreen.

One of the most important issues here is the fact that children's mental health ought to be considered part of the health care system, not community and social services. It's a crying shame. Thank goodness for people like George and Joanne Johnson and all the people who will be there this afternoon supporting them.

1340

#### CHILD CARE WORKERS

**Ms Shelley Martel (Nickel Belt):** Last week I sent all MPPs a letter advising that this day has been designated Child Care Worker Appreciation Day. I encourage those with appreciation day activities in their ridings to support these events, to thank these workers for their tremendous contribution in caring for our most important resource—our children.

Over 75 Ontario municipalities have issued proclamations recognizing the valuable work being done by well-trained child care workers. They help shape the social, emotional, physical and cognitive development of our youngest citizens. They support Ontario families by providing safe, high-quality child care so that parents can participate in our economy. Child care workers provide an essential public service, and Ontario can't work without them.

If this government truly wanted to show its appreciation, it would pay these workers the pay equity they deserve. But this government has shown disdain for these workers by cancelling proxy pay equity in 1996 and then, when the Divisional Court ruled against the government, by capping proxy pay equity in December 1998. These workers are now back in court, trying to get this government to pay them what they are owed. This capping of pay equity to child care workers makes a mockery of this government's alleged commitment to our kids.

Today, on Child Care Worker Appreciation Day, the Conservatives should prove they really do value the efforts of child care workers and pay them the proxy pay equity they deserve.

### KENNEDY ROAD BUSINESS IMPROVEMENT ASSOCIATION

**Ms Marilyn Mushinski (Scarborough Centre):** Yesterday I had the privilege of attending the annual meeting of the Kennedy Road Business Improvement Association. The purpose of the association is to promote business and economic development along Kennedy Road in my riding of Scarborough Centre. It has over 500 member businesses and is chaired by Blayne Lastman. The association's primary objective is to improve the shopping environment and to represent store owners' concerns and comments to different levels of government and organizations.

The association has been in existence for over 11 years. They have assisted me in many ways by communicating their concerns, which helped me do my job as city councillor, and now as an MPP, to make it a positive environment for business to grow.

Unlike the previous two Liberal and NDP governments, 10 lost years of 69 tax hikes and deficit financing, this government has laid a solid foundation for small business to grow by cutting taxes, balancing budgets, eliminating red tape and removing barriers to business. These measures have made Ontario's economy and small businesses more competitive and better able to weather any economic downturn.

The Kennedy Road Business Improvement Association has proven itself to be an extremely important part of the Scarborough economy. I'm pleased to congratulate them on a successful annual meeting.

### HOUSING STOCK

**Mr Michael Bryant (St Paul's):** This coming Monday, October 29, the tenants of Brentwood Towers and on Eglinton East are going to have their housing fate determined by the Ontario Municipal Board because the city of Toronto has lost the power to determine the fate of its rental stock, notwithstanding that vacancy rates are less than 1% in the city, notwithstanding that we have a housing crisis.

We have institutionalized the destruction of low-cost housing, creating incentives for a decrease in affordable housing stock instead of an increase. That's why in September 1999 our housing critic, David Caplan, and I proposed a private bill that the city of Toronto would bring forward and that I would sponsor before the private bills committee. It would give back to the city of Toronto the power to determine the destruction of affordable housing stock and condo conversions.

It has now been two years since city council unanimously passed a resolution supporting this private bill. I anxiously and eagerly await the city producing this bill so that we can get the bill before this House. I say to this House, I'm going to need members' support to fix this housing anomaly. Let's give back to the city of Toronto the power to control its housing stock.

### FILIPINO COMMUNITY

**Mrs Tina R. Molinari (Thornhill):** It gives me great pleasure today to speak about an event that is taking place on Sunday, October 28, in my riding of Thornhill. The Filipino community in Thornhill will be holding a multicultural event highlighting Filipino customs, culture and traditional food. In fact the city of Vaughan has a twin city in the Philippines called Baguio.

Recently, a delegation from the city came and toured our beautiful province of Ontario and stayed with local families in Thornhill. This is an ongoing commitment between the twin cities, as local Thornhill high school students have also visited the city of Baguio.

The event being held on Sunday is aimed at raising money for a new Filipino community centre that will not only act as a general meeting place for Thornhill residents but will further support the cultural exchanges between Thornhill and Baguio delegates. Last year, the Filipino-Canadian Association of Vaughan helped raise more than \$25,000 for the student exchange program. This program allowed 26 Thornhill students of Filipino descent to visit the Philippines and 22 Filipinos to visit Vaughan. I was very excited and proud to recognize them in the House when they came for a tour on May 17 this year.

Congratulations to the Filipino community of Vaughan and best wishes for success at the event on Sunday.

I'd like to take this opportunity to recognize two members from the riding of Simcoe North, Garfield Dunlop's riding, who are here today. Welcome.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that today the Clerk received the 14th report of the standing committee on government agencies.

Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

#### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill without amendment:

Bill 14, An Act to encourage awareness of the need for the early detection and treatment of brain tumours / *Projet de loi 14, Loi visant à favoriser la sensibilisation à la nécessité du dépistage et du traitement précoces des tumeurs cérébrales.*



**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### ONTARIO DISABILITY SUPPORT PROGRAM AMENDMENT ACT (FAIRNESS IN DISABILITY INCOME SUPPORT PAYMENTS), 2001

### LOI DE 2001 MODIFIANT LA LOI SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES HANDICAPÉES (ÉQUITÉ DANS LES VERSEMENTS DU SOUTIEN DU REVENU)

Mr Martin moved first reading of the following bill:

Bill 118, An Act to amend the Ontario Disability Support Program Act, 1997 to require annual cost-of-living adjustments to income support payments / Projet de loi 118, Loi modifiant la Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées en vue d'exiger des rajustements annuels relatifs au coût de la vie en ce qui concerne les versements du soutien du revenu.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

**Mr Tony Martin (Sault Ste Marie):** Quite simply, this bill would tie ODSP benefits to the annual cost-of-living increase and adjust benefits every April 1 to reflect that rise. There has been no increase in support payments to people with disabilities since this government took power. At the same time, rents have soared, medications have been delisted, and people with disabilities are being forced to live in poverty. This bill would go a long way toward improving their lives. They could afford, if you can imagine, food and maybe even the medications they need.

**Hon Chris Stockwell (Minister of Labour):** On a point of order, Mr Speaker: I have not seen it and I don't think the other side has seen it either. I guess the time to stand is now, to ask whether you would deem it to be in order, and if you could just look at it, I'd appreciate it.

*Interjection.*

**Hon Mr Stockwell:** I understand you haven't seen it, but it's a timeliness issue.

**The Speaker:** As you know, I don't get pre-information on all the bills. We review all bills that we know—

## DEFERRED VOTES

### IMPROVING CUSTOMER SERVICE FOR ROAD USERS ACT, 2001

### LOI DE 2001 SUR L'AMÉLIORATION DES SERVICES À LA CLIENTÈLE OFFERTS AUX USAGERS DE LA ROUTE

Deferred vote on the motion for third reading of Bill 65, An Act to permit the Minister of Transportation to delegate to persons in the private sector powers and duties and responsibilities to deliver services relating to road user programs / Projet de loi 65, Loi permettant au ministre des Transports de déléguer à des personnes du secteur privé des pouvoirs, des fonctions et des responsabilités pour fournir des services liés aux programmes à l'intention des usagers de la route.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Hardeman, Emie	Runciman, Robert W.
Baird, John R.	Hudak, Tim	Sampson, Rob
Barrett, Toby	Jackson, Cameron	Snobelen, John
Beaubien, Marcel	Johns, Helen	Spina, Joseph
Chudleigh, Ted	Johnson, Bert	Sterling, Norman W.
Clark, Brad	Kells, Morley	Stewart, R. Gary
Clement, Tony	Martiniuk, Gerry	Stockwell, Chris
Coburn, Brian	Maves, Bart	Tascona, Joseph N.
Cunningham, Dianne	Miller, Norm	Tsubouchi, David H.
DeFaria, Carl	Molinar, Tina R.	Tumbull, David
Dunlop, Garfield	Munro, Julia	Wettlaufer, Wayne
Ecker, Janet	Murdoch, Bill	Wilson, Jim
Elliott, Brenda	Mushinski, Marilyn	Witmer, Elizabeth
Flaherty, Jim	Newman, Dan	Wood, Bob
Galt, Doug	O'Toole, John	Young, David
Gill, Raminder	Ouellette, Jerry J.	

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Di Cocco, Caroline	Marchese, Rosario
Bartolucci, Rick	Dombrowsky, Leona	Martel, Shelley
Bountrogianni, Marie	Duncan, Dwight	Martin, Tony
Bradley, James J.	Gerretsen, John	McLeod, Lyn
Brown, Michael A.	Gravelle, Michael	McMeekin, Ted
Bryant, Michael	Hampton, Howard	Peters, Steve
Caplan, David	Hoy, Pat	Phillips, Gerry
Churley, Marilyn	Kennedy, Gerard	Prue, Michael
Cleary, John C.	Kormos, Peter	Pupatello, Sandra
Colle, Mike	Kwinter, Monte	Ramsay, David
Crozier, Bruce	Lalonde, Jean-Marc	Sergio, Mario
Curling, Alvin	Levac, David	Sorbara, Greg

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 47; the nays are 36.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## PRIVATE MEMBER'S RESOLUTION

**Hon David Young (Attorney General, minister responsible for native affairs):** On a point of order, Mr Speaker: My point of order concerns notice of motion 8. As you are aware, the honourable member for Ottawa West-Nepean has presented a resolution requesting you, Mr Speaker, to establish an inquiry in relation to Project Truth.

Mr Speaker, you will know that the honourable member previously raised the matter in the House in the form of a private member's bill. My predecessor, the Honourable Jim Flaherty, previously provided advice to the House regarding this matter, and I am standing now as Attorney General to respond to the current request.

First, I note that the motion is not worded in the customary manner of private members' resolutions. I ask whether the motion is appropriately worded for consideration under standing—

*Interjections.*

**The Speaker (Hon Gary Carr):** Sorry to interrupt. I say to all members, I give some latitude for yelling and heckling during the regular question period, when it is partisan. But you would appreciate on points of order that I'm very strict in making sure all points of order, whether they be from opposition or government—I need to hear them. This is a non-partisan matter where I need to hear specifically what the Attorney General is saying to make a ruling. During question period and other things, if I miss some things, it really doesn't matter all that much, because I'm just the referee, but in a case like this, I do need to hear the points that are being raised. I would appreciate if all members would kindly allow the minister, and anybody else who may be making a point, so I can hear. Sorry.

**Hon Mr Young:** That's all right. Thank you, Mr Speaker. If I may just go back to my first point, I note that the motion is not worded in the customary manner of private members' resolutions. I ask you, Mr Speaker, whether or not it is appropriately worded for consideration under standing order 96.

My second point to you is a question asking you to consider whether the motion attempts to do something that indeed can only be accomplished by legislation. I refer in particular to the reference to the Speaker's warrants and the power to compel evidence. This power would be given not to a committee of this House but to a commission, and the power would be confirmed by motion, not by statute. I ask whether a motion can be used to bypass the legislative process. I would ask you to consider standing order 79, which involves three readings before a bill becomes law.

I don't make these points in any particular order; I think they are all of significant importance.

Thirdly, I ask you to consider whether the motion is out of order, pursuant to standing order 23, and I would specifically refer you to clause (g). I bring that to your attention given the likely impact that such an inquiry

would have on the criminal proceedings that are before the courts at this time, both trials and appeals.

As a further preliminary matter, and I say this with the greatest respect to you and to your office, there is considerable doubt from a legal standpoint regarding your authority as Speaker to order the requested inquiry. I have conducted a considerable amount of research over the last short while, and I am not aware of your office ever having acceded to a request such as this, one where, in fact, the judiciary is already engaged and which does not directly bear on the responsibilities and duties of the Speaker or the rights and privileges of this honourable House. I know of no precedent in the history of this province—indeed, I know of no precedent in the history of this country—where that has been done.

Mr Speaker, as you are aware, there is a fundamental principle of justice at issue, one which we dearly cherish in our free democracy, and that issue is the independence of the judiciary. The judiciary and the Legislature are cornerstones of democracy. There should be no doubt about that. The integrity of each institution must be carefully respected.

There are other significant values engaged by this resolution, no matter how well-intentioned its author may be. Those other matters include the right of each citizen to be presumed innocent until proven guilty. As Attorney General, I am careful not to say or do anything that would affect or interfere with that right. Indeed, I am careful not to do anything that would leave the appearance or the influence of prejudging any individual. It is essential that individuals are allowed to have a free and fair trial, and we should not be prejudging that trial.

This principle applies equally to representative institutions of our democracy. It applies to courts, to me and how I carry out my job as Attorney General and, I say to you with respect, it applies to this honourable House. We have maintained in Ontario a tradition of not commenting on cases before the courts. However, if this resolution does pass, if it is put in front of this Legislature and it passes, that important value will be compromised. An inquiry like the one being suggested could lead to various unintended and serious results, including the appearance of an unfair trial, disrespect to witnesses and the judiciary and, significantly, the possibility that charges would not be dealt with on their merits, that charges would be dismissed or stayed as an abuse of process at some point.

I would ask you as well, Mr Speaker, to consider the potential impact upon victims if that result occurred. Even the most well-intentioned and carefully crafted terms of reference relating to an inquiry of this sort still pose what I believe to be an unacceptable risk to the fundamental and cherished rights that exist in this country.

The police investigation may well have concluded—it's over—but what the police have laid before the courts is not. The matter in issue must be allowed to proceed to trial without interference from this Legislative Assembly.

As I referenced a moment ago, I am aware that the honourable member who brought forward this resolution



is well-intentioned. However, I want to say that I am just as concerned as the honourable member in ensuring that justice is followed and that the rights of children and of all citizens are protected. The proper course of action is to allow the current process, the court process, the legal process—one that is the envy of the entire world—to proceed.

If such an inquiry as the one requested by the member were called, it would seriously jeopardize the proceedings currently in front of the court and could result in trials being stayed or dismissed, and this would remove the issues from the justice system. I say to you that is not fair to anyone. It's not fair to the victims and it's not fair to the accused. It's not fair to anyone involved in the proceeding. And it's not fair to the province and it's not fair to the country.

As a member of this House and as the Attorney General, I have great confidence in your office, Mr Speaker, but in my respectful opinion as Attorney General, I say to you that you cannot and you should not allow the resolution to proceed.

**The Speaker:** I thank the Attorney General. The member for Niagara Centre on the same point of order.

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, it's a serious point of order and it's a serious matter. I want to ask the Speaker to understand and share my regret that the point of order is made in the absence of the member for Ottawa West-Nepean, Mr Guzzo, who is the author of the motion. That's number one.

Number two, I want to ask the Speaker to seriously consider the time frame in which this point of order is raised. But a couple of weeks ago, when the Speaker was called upon by way of a point of order to address the orderliness of a private member's resolution, the issue there was the length of preambles or the number of preambles, a lack of conciseness. As I recall the Speaker's ruling at that time, the Speaker clearly declined to rule it out of order because of the time frame in which the point of order was raised. As it was, the point of order was raised on the same day that motion was to be debated. Understand that the Speaker subsequently said, "Yes, those types of motions are out of order," but because of the fact it was raised, in that instance, on the same day, the Speaker said, "No, I am not going to rule it out of order."

The Speaker could have deferred the matter five or 10 minutes and used that time frame to consider the matter and respond to the point of order, but the Speaker clearly said no, that a point of order raised so soon before the matter is to be debated, in and of itself—insofar as I understand the ruling, the only inference to be drawn—ought to be disregarded.

Here we are, admittedly one day before the resolution is to be debated, and the point of order is raised. Put that in the time frame of the fact that this motion has been on the order paper for a considerable amount of time now. It has not only been on the order paper, but has been a matter of some controversy, not around its orderliness but around the matter it addresses. It is not something that

could have been overlooked, I put to you, by inadvertence on the part of the Attorney General or anybody else.

**1410**

I think we have and we ought to have some serious concerns that it's the Attorney General who rises on this point of order. The Attorney General has a very clear function in addition to his political function as a member of his party and as a member of the caucus he serves.

The Attorney General says he has a profound respect for the presumption of innocence. I share that with him. He's distinct in contrast to one of his predecessors in that regard. But at the same time, I put to you that the Attorney General has judged implicitly on the Speaker's capacity to do or not do something as directed by this House in a way that displaces what would properly be the role of the court—with respect.

If this resolution were to pass, and I'll speak to other aspects of it being in order in a minute, and the Attorney General, or quite frankly anybody else, felt that it would for whatever reason be improper for the Speaker to proceed with that direction, the course of action, I put to you—and the Attorney General's own logic during at least part of his submissions would seem to endorse or support this—would be for the Attorney General to apply, for instance, for an injunction to enjoin the Speaker from doing that for the reasons argued before that Supreme Court judge or justice, seeking that injunction. There could in fact be a debate around the legality, the legal issues and some of the things that the Attorney General tries to put on the floor today.

(1) I think it is very, very dangerous, with respect, sir, to fetter the subject matter of private member's resolutions, motions or bills. The standing orders do that in terms of the types of bills that can be put forward, and they're pretty clear. It's been a long time since there has been a successful point of order regarding the subject matter of a bill, for instance, because members are pretty conscious of what is the proper content. Of course we know it goes to the matter that private members can't, as I understand it, address matters dealing with revenue raising. That's clear.

(2) The Speaker spoke clearly about resolutions, but not as to their content. He spoke as to their form, and that is a far different thing than what's being addressed here. The Attorney General is not criticizing the form of the resolution, in this most untimely manner, but he's addressing the content.

Look, I understand. It's clear that the Attorney General would rather that this assembly—I'm assuming; this is the inference I draw, the irresistible inference—did not approve this motion. Fine. Let him come here tomorrow and debate the motion. That's his forum in which to persuade any member of this assembly that it would be, for any of the reasons he tried to enumerate today, improper or inappropriate to effect this motion by way of it passing. Let him persuade any member of his caucus by way of personal lobbying, or any other member of this assembly, not to support the resolution. Let him distri-

bute speaking notes. But please, for the Attorney General to usurp what I submit would be the function of a court were this motion to pass, to decide on, as I say, for instance, an application for an injunction, is in itself an abrogation of the very careful role that the Attorney General has to play.

May I speak very briefly to the subject matter of the resolution. Neither you, nor your office, nor this assembly is unfamiliar with the issue. The member, Mr Guzzo, has used—as is his right and, I submit, obligation—his position in this Legislature to the extent that the rules permit it. It's not inappropriate to consider that the rules have become increasingly restrictive about the rights of members. They haven't diminished our responsibilities, but the rules, the standing orders, have become increasingly restrictive. I think that's a given. Everybody acknowledges that. I think in context of that, the most appropriate thing to do—look, the resolution speaks for itself. The assembly is directing the Speaker to do something. It's quite right, this isn't a piece of legislation in terms of law. In other words, were the Speaker to decline to do something as directed, it's not a matter of the Speaker breaking the law. Let's make that very clear. The Speaker shouldn't have concerns. I can understand the Speaker having concerns about a piece of legislation that compelled the Speaker to do something in such a way that the Speaker had no opportunity to exercise what would be an inherent and natural and historical discretion on the part of the Speaker. This resolution doesn't do that, because this resolution isn't a bill, it isn't a statute; it's a resolution. We all know from our own experiences how much impact resolutions can, and sometimes may not, have here in the assembly. But it's a resolution to direct the Speaker to do something.

If the Speaker were to determine that he did not have the capacity to comply with that resolution, then the Speaker has to make a decision if at the end of the day the resolution is passed. I respect the Speaker's right to make a decision. I respect the Speaker's right to respond to this and say, "Assembly, ballot item number 28 directed me to do certain things. I feel compelled to inform this assembly that it is my—" And then members of the assembly can again use whatever extraparlimentary avenues—and I'm speaking of judicial avenues that may or may not be available, but they could investigate that—to compel the Speaker, if they thought the Speaker was in error in determining not to follow a direction.

It is not for a single member, least of all the Attorney General, to short-circuit—I have to draw your attention to that precious little bit of time in this assembly Thursday mornings. Speaker, it's two hours a week, for increasingly fewer weeks a year, that private members have a chance to respond to issues, and I hope the Speaker will defend individual members' rights to act from time to time, and many times very independently of their caucuses, even of their parties, in their utilization of that very scarce right to bring forward a matter for one hour. It amounts to one hour perhaps every two years to bring forward a matter which is of personal significance

to them or to a constituent in their community or to a constituent out there in the broader community.

This is a very precious right—a very precious right—and I suggest that you should be interfered with as rarely as possible, should be interfered with only when on its face, as in the matter of form, it violates the standing orders with respect to motions and resolutions or when on its face it violates the standing orders with respect to a private member compelling the government to increase revenues—two clear-cut issues; two clear-cut examples.

I'm asking the Speaker to tread very carefully, because it's being called upon to trample on that right. It is not for the Speaker to determine—to determine—whether this in and of itself will constitute an interference with independence of the judiciary. I say that as a blanket statement, and please link that with my subsequent statement.

This is not, please, with respect to the Attorney General—if the Speaker will not adopt or accept the argument that it's not for the Speaker to determine that, then let's go to the next stage. This is not an interference with the independence of the judiciary. The Speaker is not being asked to determine culpability, either criminal or otherwise, of any individual during the course of performing what he is called upon to do, should he do it in this resolution. You still go back to the fact that at the end of the day the resolution may pass, but then the Speaker can decline to do it because it's not law; it's but a resolution.

There is nothing in this resolution which tramples on the rights of anybody currently under prosecution, or who may be under prosecution. The issue is very clearly the effectiveness of police investigations. That is so thoroughly removed from the issue of guilt or innocence, from the issue of any type of culpability, criminal or civil or otherwise—it's as removed as anything could be.

#### *Interjection.*

**Mr Kormos:** Look, Speaker, I regret the time that I've felt compelled to devote, but this is a critical issue for every member of this assembly, both present and in the future. It's something that I feel obliged to address as fully as I can. It's clearly not a matter of interfering in any respect with the independence of the judiciary.

1420

Let me ask you to consider as well, and I think this is not inappropriate, the underlying interests of the Attorney General in raising this point of order. I'm very conscious of the rules, the standing orders, when I speak to this. Please. But let's understand that this government has stood firm in what has been a not-illegitimate request for a public inquiry. What I'm putting to you is that nobody has disputed that the issues raised by Mr Guzzo could legally be the subject matter of a public inquiry. Rather, it is my submission to you that the government has simply refused, has exercised its discretion not to call one. Governments call public inquiries and they don't call public inquiries. It's within the power of the government to do that, and nobody, at the end of the day, can



force the government hand, no matter how legitimate the call is for a public inquiry.

The Speaker knows—both in your current status and through the history of your office—a history of debate and litigation in this assembly going back to the days succeeding 1987 regarding public inquiries, the plethora of case law that has flowed from that, including the now-leading decision in the Westray mine incident. I ask you to refer to that, sir. I know your office will make that litigation available to you. That clearly defines the circumstances in which an inquiry can be conducted, notwithstanding that there is concurrent litigation of either a civil or criminal matter, and doesn't disallow the public inquiry but merely restricts it in its scope.

This Legislature has witnessed more than one public inquiry that has survived the challenge of the government of the day, and as a result of the court direction it has been made clear that the public inquiry can coexist with litigation, the prospect of litigation or the prospect of appeal, never mind an appeal actively underway.

So I submit that if you do not accept the proposition that it's a simple matter of not fettering the right of a member but do feel compelled to delve into the issue of whether or not it's an interference with the independence of the judiciary, and then consider the underlying interests of the government, I put to you that your examination of the case law will determine, in contrast to many of the responses given by an Attorney General about the appropriateness or inappropriateness of a public inquiry, that in fact the position of the Attorney General is as much a political position, and certainly in most cases more so one of a political concern, than an accurate interpretation of the law, because the law makes it quite clear.

So I put to you at the end of the day that even the calling of a public inquiry—but let's understand how careful the author of the resolution was, because the resolution does not call for a public inquiry. It calls for a commission of inquiry. It calls for a report back to you, sir, the Speaker, and it says that any portion of the report can be made confidential. I put to you that the author of this resolution has anticipated any possible arguments, that this resolution has anticipated any possible arguments that might be accepted, even though I put to you they ought not to be accepted, about the concurrence of a public inquiry and litigation for the commission requested.

I'm asking you, please, Speaker, to accept the fact that it's our job to move resolutions and motions as we see fit; and to deny that, to inhibit it, to prohibit it, to restrict it, is in itself—I put this to you: one of the underlying effects of the Attorney General's point of order is to do precisely that: it's to inhibit, restrict, control the types of resolutions we can put forward here, based on political considerations. That, I put to you—without wanting to be at all inflammatory—comes pretty darn close to what we've examined as being contemptuous of this assembly because of the effort on its part, by way of that argument, to muzzle members of the assembly.

Members have to have an unrestricted right to move resolutions. Their validity, their impact, their effectiveness, their scope, their relevance—subject to the very narrow interpretation of the standing orders which we've witnessed in the recent past—is then a subject matter for something to occur after that resolution is passed. It's up to the members of this assembly to be persuaded not to vote for this by the Attorney General, should he wish to do so.

Sir, I submit that it's not for you to tell us that we can't debate it. To grant this point of order is to tell us that we can't debate this very serious motion by a member who has expressed long-standing concern and has been joined by members of this caucus and many others across Ontario out of their concern about the serious legacy of abused children in Cornwall and area for whom—we know this, and there's no debate—no justice has ever been done. This modest effort to seek justice for those abused kids, those assaulted kids, those victims, should have its day in this forum.

**Mr Michael Bryant (St Paul's):** I have not had—and I know that the House leader for the third party has not had—the benefit of the extensive research to which the Attorney General referred. So we make these submissions in that light and in this vacuum.

I would echo the comments from Mr Kormos, but add this: we would like you to speak to the issue of notice. We have had no notice of this. We have not been provided the research. We have not been given the opportunity to respond to this appropriately. In that sense, there is a feeling of a procedural ambush. We have had this resolution on the books since June 6, and as a result, we would ask you to speak to that.

I think it also speaks to your finding in this sense: in a word, this motion is premature. To rule on the commission of inquiry on a point of order is something that ought to be done only once it becomes found by the House that we proceed with a commission of inquiry. This point of order is speaking, on the one hand, to the validity of the commission of inquiry, and the arguments are directed to the prejudice to potential or existing defendants. But the problem is that really the point of order is not about the validity of a commission of inquiry. That's not before you right now. Before you right now is the validity of the resolution: should members of this House be able to debate the resolution?

It is often the case that the procedural issues surrounding either a resolution or a private member's bill become the subject matter of debate. How many times have we heard in this House one side or another say, "Well, we're not going to support this bill because it flies in the face of the BNA Act" or "it's unconstitutional"? I've heard that in this House before. That's a procedural argument. It's a legitimate argument, and it's an argument that can be made during private members' hour. Members may choose not to support the resolution because of that fact, but to rule that the resolution is out of order is premature. We should have the opportunity to debate the propriety of this. If, in fact, a commission of inquiry becomes the

subject matter of a resolution, then only at that time, I would submit, ought you to rule on whether or not the commission of inquiry itself is valid.

1430

All members of this House, obviously, are here to be held to account, one way or another, to our constituencies, and there is a concern here that the government is trying to do indirectly what it does not want to do directly. It does not want to speak to this resolution. It does not want to be seen to be voting down this resolution, but this is the House in which people are to be held to account. This is the House in which we must have free debate, restricted by nothing: absolute liability immunity, subject to—of course, we cannot rise in this House and make reference to young offenders, contrary to the Young Offenders Act. Yes, we cannot do that, or we ought not to do that. But the restrictions are obviously extremely limited, and they cannot include that we are unable to debate this matter at all.

I'd also say that I believe the Attorney General is asking you to rule on the constitutionality of this particular commission of inquiry and resolution. As you know, you are not in a position to rule on the constitutionality of the resolution, as I understand it.

All the arguments of the Attorney General with respect to "innocent until proven guilty" are concerns we all share in this House. But all of these due-process arguments are not going to be jeopardized, all of these concerns about prejudice to the accused are not going to be jeopardized, by debate.

A commission of inquiry: I leave it to you to make that determination. I think you've heard submissions from the third party on that. But we'd like the opportunity to speak to that as well.

With respect to the resolution, the independence of the judiciary is in no way impacted by debate of a resolution—in no way, although I appreciate and echo the comments of the Attorney General with respect to the importance of the independence between the legislative, executive and judicial branches. Innocent until proven guilty: again, no prejudice to any existing or potential defendants in the event that the resolution is debated.

Lastly, I would say that I think it's important in your ruling that we narrow it to the resolution itself and not expand it to unintentionally in the future capture a ruling on the commission of inquiry or on the propriety of speaking to matters on public inquiries or the propriety of speaking to matters on question period itself.

We need to have the opportunity to debate this motion. The government may not want to be seen to defeat this motion, but at the very least, before determining whether or not the commission of inquiry in and of itself is the right thing to do during private members' hour and thereafter, you need to determine whether or not you will have the powers to do so. We need to have the opportunity on Thursday to debate this, for the sake of this chamber and for the sake of the province of Ontario.

**Mr Dwight Duncan (Windsor-St Clair):** There are two additional points that we'd ask you to take into account.

First of all, you yourself last year and earlier this year defended against the intrusion of an outside body on the affairs of this Legislature. I'm referencing specifically the Lord's Prayer. In effect, when the Attorney General came here—and I listened to his statement very carefully—he was speaking as the Attorney General. He is a member of this assembly, but in effect the Attorney General's ministry is attempting to influence the affairs of this Legislature—something, sir, that you yourself and your good offices defended against. You defended against the Human Rights Commission having the ability to influence the Lord's Prayer; you've defended against the courts having an ability to do that.

It is sacrosanct, sir, that this Legislature can make the determinations as to what will and will not be heard here. The references are numerous, whether you look at Marleau and Montpetit, Beauchesne or any of the references. I would argue, sir, that the government, in addition to asking you to rule this out of order, can by way of motion remove it, defeat it, either procedurally or in the substance of the debate itself, a point that was made by the member for Niagara Centre and my colleague from St Paul's.

Finally, subsequent to the point of order that was raised by the member for Northumberland, a number of resolutions were taken off the order paper. This resolution sat on that order paper when that occurred. It was tabled, as I recall, on June 6 of this year. Presumably, sir, you and the staff of the Clerk's office have reviewed this already and, by not removing it, have found that it's in order. So in effect, you're being asked to rule about a decision you have already in fact made.

To conclude, my colleague from St Paul's has pointed out that substantively this does not interfere with the legal proceedings. Second, from a procedural perspective related to this House and the primacy of this House to set its own affairs, the test, in our view, is the members themselves, not you and your good offices. Subsequent to this resolution being defeated or passed, you will still, as Speaker, have the opportunity to approach the House with respect to whatever limitations you may be confronted with. It's been suggested to me, for instance, that there would be challenges to you in terms of the funding of this inquiry, that that would require Board of Internal Economy approval. There's no power to compel witnesses contained in the resolution itself, though as I understand it, those powers are contained in the Legislative Assembly Act.

So on that basis, number one, we do not believe that this resolution would interfere with the court processes, but more importantly, this House and the members of this House are the only ones—not the Attorney General, not the Attorney General's ministry, not a court, not a commission—the members of this House, by their vote, who can determine what can and cannot be debated on the floor of this House. Finally, if the government takes



the view, if the opposition takes the view, as presented by the Attorney General, then the power rests with us to defeat the resolution if we are so convinced.

**Mr Bob Wood (London West):** The issue before yourself is, of course, does this resolution so offend the standing orders of the House that it should be removed from the order paper? I submit to you, sir, that it is clear it does not so offend the standing orders. I'd like to set out the reasons for that.

I would like first to refer to the question of timeliness. It has been pointed out that this was placed on the order paper on June 6 of this year and the day before it's to be debated, we have this before yourself. It's quite proper that it should be brought before yourself, but I would submit to you, if there is a matter of discretion in these circumstances, discretion should be exercised in favour of leaving it on the order paper because of the lateness of this objection being raised.

The Attorney General spoke of wording. There's nothing that I'm aware of in the standing orders that says anything about the wording of a resolution. There's nothing in this resolution that offends any of the standing orders. He also speaks about the question of compelling of evidence. The House has the power to issue Speaker's warrants. That's been a privilege and right of this House for hundreds and hundreds of years. There's no intent here to assign that right to anyone else. It's the House that would compel any evidence, if it were required to be compelled. This resolution does not delegate to anyone else that ancient and essential right.

We have received comment from the Attorney General with respect to standing order 23. It says that criminal proceedings are specifically dealt with in the motion. Mr Speaker, the motion is quite clear, and I want to read that part of it: "The commission may not engage in any activity which may jeopardize any ongoing prosecution of a criminal nature." So there can only be the kind of problem that the Attorney General referred to if the commission doesn't follow the resolution of the House. I, for one, have confidence in a commission that you may appoint to follow the resolution of the House. That's their legal responsibility and legal duty, and the concerns raised by the Attorney General are only valid concerns if the resolution is not followed.

1440

I would like to suggest to you that there is no doubt, no doubt whatever, in the 800 years of parliamentary tradition, that this House has the right to direct inquiries. It's an absolutely fundamental right that this House have the right to make inquiries. How else can we do the right thing for the people as a whole if we can't inquire and get information? That right, I believe, is fundamental to the functioning of any democracy. I think it is incumbent upon you, sir, to defend that right in this House.

The Speaker is called "the Speaker" because he speaks for all members; that's where the term originated. I would suggest you have a duty, sir, to speak for all members of this House and let them make a decision which they legitimately can make. Parliamentary tradi-

tion and the parliamentary rules all say that you have the right and duty to do that.

I think we should touch briefly on what this is about. This is about the adequacy of two police investigations. I think determining that is fair to the victims, is fair to the investigators and is fair to the people of Ontario. The resolution is not offensive to the functioning of democracy; it speaks directly to the functioning of democracy. I think being fair is to let the House decide whether or not they think this is the right investigation to undertake.

There is some concern in the minds of some that the House may do the wrong thing. I don't think the House has been irresponsible in the resolutions it has passed, and I think we can be confident the House will do the right thing tomorrow if it has been given the opportunity to do so.

I'd also like to make note of a comment made by one of the previous members. This is not a call for a public inquiry; this is a call for an investigation. Parts of it can be confidential, so if the investigators and if the commission follow the resolution, the concerns of the Attorney General will be totally met. His concerns can only be valid if the commission does not follow the resolution. I think the House can have confidence in you, sir, and the people you may appoint to follow a resolution of the House.

I would like to return, for the last time, to my point. It should be for the House to determine what they investigate. It should not be for the rules to decide what's right and wrong; it should be for the members. I personally have confidence in the House, the Speaker and the representatives of the people. I ask you to find this to be in accordance with the standing orders.

**Mr Jerry J. Ouellette (Oshawa):** Mr Speaker, there were several points brought forward that I'd like to address. Firstly, the traditional actions of your office: I believe we have seen events that your office has undertaken recently, such as compensation issues, that have not been traditional actions. So in dealing with traditional and non-traditional actions, I would hope you would take that into consideration.

There was considerable mention by the member from Niagara Centre and the others of the independence of the judiciary. In the resolution itself, it calls for the possibility of reporting back in a maximum of 18 months. Mr Speaker, 18 months is a long time; 18 months is certainly enough time to bring a new Premier into the province of Ontario. It's certainly enough time, in my expectation, to deal with an issue.

Another area that I have concern about is that it is the right of the individuals in here to bring forward issues of concern, and what you're now being asked to determine are the specific issues as they relate to the members here: can they or can they not be brought forward? Are you setting a precedent that will determine that in the future?

Lastly, with this, in the past in regard to the issue, I believe that the public were dependent on due process, and I would think that the member who brought this

forward is looking for a just process, and I'm hoping, Mr Speaker, that you do the right process.

**The Speaker:** I thank all members for their very thoughtful contributions. I will reserve opinion. Obviously we understand that it needs to be done very quickly in light of the circumstances, but I thank all of the members for their participation and for their very thoughtful comments. I will reserve my judgment and report back to the House as soon as possible.

#### VISITOR

**Hon David Turnbull (Solicitor General):** On a point of order, Mr Speaker: I'm sure you would like to welcome into the Legislature Mr Darren Praznik, an MLA from the Manitoba Legislature.

**The Speaker (Hon Gary Carr):** I wasn't aware he'd be here, but we welcome our honoured guest.

It is now time for oral questions.

#### ORAL QUESTIONS

##### HEALTH CARE

**Mrs Sandra Papatello (Windsor West):** My question is for the Minister of Health. Now that the Premier doesn't have to worry about public support or worry about his comments meaning something other than what he meant, he can finally speak his mind and tell us where he's really going in the area of two-tier health care. Today's comments by the Premier in a scrum here at Queen's Park indicate the real reason you are still the Minister of Health. It means two-tier health care when the Premier said today that we will rely more on the private sector and on individuals in the area of funding for health care. As Minister of Health, will you clarify today that you will not introduce user fees, that you will not allow a two-tier health care system in Ontario?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I don't think anyone is advocating British-style two-tier health care or American-style health care. I'm not advocating that; the Premier was not advocating that.

The fact of the matter is the Premier was commenting on the situation that arises because we have relied in the past on agreements we thought we had with the federal government. Initially, with the passing of the Canada Health Act, the federal government undertook to finance 50% of all health care spending. The fact of the matter is right now they finance 14% of all health care spending. The Premier's only point is that if they continue to underfund health care, if they continue not to make health care their top public spending priority, then this restricts the poorer provinces, the have-not provinces, in the choices that are made available to them. That is a fact. That is what the Premier is good at: expressing facts.

**Mrs Papatello:** Minister, we asked you a very simple question. We asked you to stand up in the House today and say that you oppose user fees in health care. We asked you to say that you will not lobby the federal government to change the Canada Health Act, that you need to be a defender of the Canada Health Act. It's very simple. We are asking you, the minister already dubbed to be "Two-Tier Tony," to stand and defend us, defend what the general public wants, and that is not a two-tier health care system.

It's very simple, Minister. You just need to stand in your place today and say you will not bring in user fees—it's very simple—that you will not advocate to change the Canada Health Act to allow user fees. You will not bring in user fees. We want to hear those words right now, Minister.

**Hon Mr Clement:** My ears are deceiving me obviously, because it was the Prime Minister of Canada who raised the spectre of user fees after coming back from the kingdom of Sweden. If anybody's talking about user fees, it's the Liberal Senator Michael Kirby. It's the Liberal Prime Minister Jean Chrétien who's talking about user fees.

What Mike Harris was saying was that we have been consistently underfunded by the federal government. At the start of 1994 they funded 18% of health care spending; in 2000 it is 14%—down, down, down. They are not living up to their commitments. They are not meeting the aspirations of the people of Ontario and the people of Canada. Shame on them and shame on you.

1450

**Mrs Papatello:** I didn't hear the Minister of Health say no to user fees. We asked you one very simple question, and we asked that of the minister who's been dubbed Two-Tier Tony.

To the Minister of Health who's hiring Stockwell Day's staff, to the minister who in his speech at the Empire Club advanced the notion of improving the involvement of the private sector and where user fees were going to be required: you want to have a system for the rich and another system for the rest of us. You are Two-Tier Tony. You have an opportunity, a chance today to stand up and say no to user fees. Take that chance now, Minister.

**Hon Mr Clement:** This Liberal Party, they come and they go, and they say one thing one day and they say another thing in this chamber. Here is what Dalton McGuinty said just in March of last year. He said, "We've divorced health-care users from the notion of costs connected to their care. Access to quality health care doesn't mean unlimited access." That's what he said then. Now she's saying different. Well, if the honourable member opposite is concerned about health care in this province, I can tell you that for \$1.1 million of Cipro pills, we could have hired 20 nurses in Ontario. Why don't you tell the federal Minister of Health that?



## GOVERNMENT CONSULTANTS

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Community and Social Services. Last week I asked you about the Janet Ecker boondoggle contract with Andersen—now that company's called Accenture. I'd like to return to that contract today.

We asked you how you could justify throwing away \$200 million and you couldn't even advance the truth, and that was that you didn't save anywhere near the amount of money you spent on that contract. We asked you what you had to show for all that wasted money and you talked about some fancy computer program, one that we showed in this House isn't even working. That sounded so familiar. It was familiar because the Brian Mulroney government used this same company to create the same kind of program, and it too did not work.

Minister, we know now that the federal government is suing the same company, alleging fraud, negligent misrepresentation and professional negligence. Here is the suit. According to the statement of claim, the federal government says Andersen "actively conspired to conceal information from the crown."

Minister, my question is simple. Why would you sign a contract with this company—

**The Speaker (Hon Gary Carr):** Order. The member's time is up. Minister?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I would be most interested to see if the member opposite would dare make those accusations outside the House. If she's so convinced they represent the truth, let her say them outside, but rather, typical Liberal tactics, smear tactics, they come in this place and use their legislative immunity falsely.

The member opposite wants to defend—

*Interjections.*

**The Speaker:** Order. It's too noisy, I'm afraid. Sorry for the interruption. Minister?

**Hon Mr Baird:** We inherited a welfare system that was out of control. We inherited a welfare mess left by the Liberals and the New Democratic Party. This government took real actions to clean up the old and outdated technology, to clean up the old and outdated processes, where welfare fraud was rampant, where overpayment and administrative problems were rampant.

To date—the member opposite is wrong; she still doesn't have her facts right—we've been able to save more than \$350 million for the taxpayers by restoring some integrity to our welfare system. The member opposite should be on her feet applauding that initiative instead of undertaking these—

**The Speaker:** Order. I'm afraid the minister's time is up. Supplementary?

**Mrs Pupatello:** I'll go outside if the minister wants. I'll bring a copy of the suit with me, because it's all in here. I'm sure that if the minister were on the job he would have a copy of this suit already. The suit talks

about professional negligence and conspiracy. This is the company you renegotiated with. It gets worse, though. We went through the list of contributors to the PC Party and we found something really interesting. In the first few years of Janet Ecker's boondoggle with Andersen Consulting, there were no contributions to the PC Party by this company, but this government was forced by this House to renegotiate the contract, and all of a sudden the company started making tremendous donations to the PC Party. These individuals, executives of this company, over 99, in the year 2000, when we brought this issue up in this House, made contributions upwards of \$20,000 to the PC Party.

Minister, are you going to wear this boondoggle of your predecessor—

**The Speaker:** Order. The member's time is up.

**Hon Mr Baird:** I think the record of my predecessor, Janet Ecker, in running the welfare system speaks for itself: hundreds of thousands of people making that important transition from welfare to work; a new Ontario disability support program; a new Ontario Works Act. She can be very proud, as can all of us on this side of the House, of the reforms that we've undertaken in social assistance.

Every single time we went to the plate to try to change the welfare system—we tried to get tougher on welfare fraud. What did Dalton McGuinty and the Ontario Liberal Party do? They were against it. We wanted to get tough on overpayments and a system out of control. What did Dalton McGuinty and the Ontario Liberal Party do? They didn't support it. We tried to bring in welfare and restore the merit principle and hard work to our welfare system. What did Dalton McGuinty and the Ontario Liberal Party do? They opposed it. They rejected every single welfare reform that this government has undertaken. The people of Ontario have spoken in two successive elections. They strongly support the Harris welfare reforms; they strongly support the Ecker welfare reforms; they strongly support this government's attempt to get—

**The Speaker:** The minister's time is up.

**Mrs Pupatello:** The only thing we see about fraud is in the lawsuit launched by the federal government about the company that you are overpaying in the contracts that you renegotiated. They started making contributions to the PC Party after you started having to renegotiate with them because we went after your predecessor over the Janet Ecker boondoggle on that Andersen contract. That contract was worth \$180 million, you have now paid over \$200 million, and the system doesn't work.

This is the same company that has been chased out of the federal government; this is the same company that is now chased out of New Brunswick and Texas. The federal government is suing them for fraud, negligence and conspiracy to conceal information. We don't have enough money for home care, we don't have enough money for textbooks in our classrooms, we don't have money for the health system the public deserves, but you

have enough money to pay over \$200 million to follow up on the Janet Ecker boondoggle.

**Hon Mr Baird:** In fact, two years ago the contract was renegotiated, and what did that renegotiation deal with? It dealt with successfully completing the project. It dealt with completing it on time and it dealt with completing the project on budget. We're restoring a welfare system that was out of control.

I understand why they're so sensitive about this issue. Dalton McGuinty and the Ontario Liberal Party disagree with work for welfare. They want to return to the money-for-nothing days of the past. They want to return to a system rampant with fraud. They reject every notion that this government and that this party and that this caucus and cabinet have taken to restore some integrity to the welfare system. I understand why they're so disagreeable: because the people of Ontario strongly support our welfare reforms.

### PROVINCIAL SALES TAX

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance. Today you have a fresh opportunity to do something for Ontario's sagging economy, for consumers and for working people across the province. Later this afternoon we will debate the New Democratic call for a three-month provincial sales tax holiday to help people where they need it most at this time, when they go to the cash register to make needed purchases.

The evidence grows daily that the economy is stumbling, that consumer confidence, which accounts for two thirds of economic activity, is declining. Your own parliamentary assistant, Mr O'Toole, has said that he supports our idea of a retail sales tax holiday. We might even find out today where the Liberals stand on this issue. But the real question is, when are you going to show some leadership? When are you going to respond to the decline in consumer confidence which may well result in more layoffs? When will you bring in a sales tax holiday for Ontario?

1500

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I appreciate, once again, that the member opposite has converted to the importance of tax reductions in Ontario. They've been advocated by Mike Harris since at least 1989. It's taken the leader of the third party I guess 12 years to realize the efficacy of tax reductions in Canada.

He's joined by Paul Martin, who said that tax reduction is essential to secure strong and sustained economic growth in this country. So I guess we're ad idem between the New Democratic Party, the government of Ontario—the governing party here—and the federal Liberal Party. It's just the opposition Liberals that still don't get that reducing taxes is important for long-term, sustainable growth in Ontario.

**Mr Hampton:** No, Minister, you don't get it. What you don't understand is that your latest round of corpor-

ate tax cuts will only benefit the most well-off corporations and the most well-off people in this province and will do nothing for the 11 million consumers.

Let's just look at one corporation: Bell Canada Enterprises, who will get about \$22 million from your latest corporate tax cut; Bell Canada Enterprises, that is busy laying off 150 employees at CTV, and it's speculated will lay off hundreds more at Bell Globemedia; or the president of Bell Canada Enterprises, who pocketed \$6.7 million in salary and bonuses last year. They're going to benefit from your corporate tax cuts, but your corporate tax cuts are not going to do a thing to restore consumer confidence around this province. That's why you've got it wrong.

Unload the corporate tax cuts. Give the consumers of the province a retail tax holiday so they can go out and do the shopping, make the purchases they need and stimulate the economy.

**Hon Mr Flaherty:** There have been two myths in Ontario that have changed over the past several years. One is about tax reductions and the idea that tax reductions benefit our income, in terms of being the government, and benefit the people of Ontario. Indeed, times have changed. When budget time comes now in Ontario, the media and others, the people of Ontario, want to know where the tax reductions are, when they used to look for where the tax increases are under the Liberals and the NDP. Times have changed in Ontario.

One other thing has changed. I think most of us now recognize—most people in Ontario—that corporate profitability is good for the economy. It creates jobs. It creates investments. We want healthy, viable, successful corporations in Ontario.

I understand—the member opposite smiles; he doesn't understand—that this is where the jobs have been created: in the small and medium-sized businesses of Ontario since 1995. Ontario is open for business. We welcome their business. We want the jobs.

**Mr Hampton:** I want the people of Ontario to understand what the Minister of Finance said. He said that tax cuts for Bay Street are good, that tax cuts for the millionaires on Bay Street are good. But when it comes to reducing the retail sales tax for the 11 million consumers across the province, that's bad according to the Conservative government.

Minister, pay attention to what's happening elsewhere. The United States has cut their interest rate. The Federal Reserve has cut the interest rate in the United States to its lowest level in over 30 years. The Bank of England has cut their interest rate to its lowest level in over 20 years. The Bank of Canada has cut their interest rate to the lowest level since 1961. Why? Because they understand that consumer confidence in the economy, which accounts for two thirds of economic activity, is declining seriously, and they want to give consumers a reason, an incentive to get back into the economy. When are you going to do your part instead of just giving more money to your corporate friends?



**Hon Mr Flaherty:** Personal income tax reductions, which we've accelerated in Ontario, give money directly to individuals in the province. I can tell you that auto workers at the GM plants in Oshawa are happy to have tax reductions. They can choose to spend that money as they see fit.

You could reduce the retail sales tax, which is another way of making goods more affordable. But you can do it the other way: you can put money right back into people's pockets directly by saying, "Here's a reduction in your personal income tax. Spend it as you see fit."

That's the policy choice we made, it's the policy choice the Premier made in 1995, and it's been extremely successful in the province. We've had fabulous economic growth in this province with the stimuli created by tax reduction. Indeed, if imitation is the sincerest form of flattery, that policy has been followed across this country in every provincial budget, and in the mini-budget by the government of Canada last October.

#### LOW-INCOME ONTARIANS

**Mr Howard Hampton (Kenora-Rainy River):** To the Minister of Finance again. We can see where this Minister of Finance would lead Ontario: more tax cuts for the well-off, more corporate tax cuts, and who cares about consumers? That's where you would take this province.

I want to ask you about another group of people out there who haven't had a tax cut and haven't had a wage increase now in seven years: the people who work for the minimum wage, the hundreds of thousands of people who work for the minimum wage and who, if they had an increase in the minimum wage, would almost certainly spend all of it in the local economy, would contribute more to the local economy.

We've seen your arguments for rewarding your corporate friends. We see your arguments for giving more tax cuts to the well-off. Why do you continue to freeze the wage for the lowest-paid workers in the province?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The Minister of Labour.

**Hon Chris Stockwell (Minister of Labour):** Let's be clear about who has received the benefits of tax cuts. The people earning the least amount of money in this province have received the most generous tax cuts of anyone in the province of Ontario—period. Case closed.

When this government came to office, they reduced taxes, removed taxes and dealt with taxes—oppressive, crushing taxes—on people who earned the least amount of money. Where did those taxes come from? They came from you and you. So when we got elected, we understood that the money was better in their pockets to spend, supporting their families, feeding their families and sending their children to school. We looked after those people who needed help. We will still look after those people who need help. And as I've said before, when we came to office, the beautiful thing is they had one thing that they never had with you: they had a job.

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Tony Martin (Sault Ste Marie):** Minister, what are you going to do for the disabled poor in the province? Ontario citizens with disabilities haven't had an increase in their pensions since you came to power almost seven years ago. Rents have gone up, you've delisted needed medications, and these folks have not had an increase in their income.

Today I introduced a bill that would peg increases to pensions for the disabled to the cost of living. Quick passage of this bill would guarantee increases to these people every April. Will you do that for these vulnerable citizens? Will you support quick passage of that bill?

**Hon Mr Stockwell:** The Minister of Community and Social Services, I guess.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** Through the Ontario disability support program, we provide social assistance rates that are substantially higher than the average of the other nine provinces. That's a commitment we made back in 1995. We've protected those rates. They weren't reduced when expenditure reductions took place in the 1995-96 budget.

The Ontario disability support program is a program of which I think we can all be proud. It provides a whole range of supports. It provides a higher benefit rate. It provides employment supports. We're helping more and more people with disabilities make that important transition from welfare to work. It provides a whole regulatory regime that supports that. Most importantly, it also takes away the "permanently unemployable" title that was absolutely devastating. That's why the program has, since its inception, certainly done a lot to help people with disabilities.

We acknowledge that more work can be done, and that's part of the continuing improvements we make to a whole range of disability supports, whether it's to the developmentally disabled or to special-needs children.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. My colleague asked you yesterday about funding for Visudyne, a treatment that can prevent blindness in people with wet form macular degeneration. You said you were still working on it.

The decision on Visudyne treatment was supposed to have been made in March of last year. Health Canada gave its approval for Visudyne treatment on May 31, 2000, a year and a half ago. Your predecessor informed me last December that the Ontario review would be completed by the end of February of last year, eight months ago.

You should know that in March of last year there were about 1,000 people in Ontario who would have been candidates for Visudyne treatment. In the last eight months, it is likely that for 25% of those people, the

disease has progressed to the point where they can no longer be treated. That means that 250 more people will have permanently lost much, if not all, of their eyesight while you keep saying you're working on it.

Minister, the approval process was on track for last February until you came on the scene. Why are you continuing to deny this treatment to seniors who every day lose more and more of their eyesight as you delay and delay?

1510

**Hon Tony Clement (Minister of Health and Long-Term Care):** The honourable member is confusing two dates: the date of Health Canada's approval versus the date of the drug quality and therapeutics committee approval, which is a different date and a later date than the one the honourable member mentioned in the House.

The honourable member knows very well what the process is. The honourable member has followed the process on many other drugs. We on this side of the House follow the process. There are some Ministers of Health who don't follow processes and try to cut corners, and we all end up paying more and getting less. On our side of the House, we follow the process. This process is now beyond the DQTC. We are taking it under advisement, and I assure this House we will have an answer in the near future.

In the meantime, I would like to say to this House that this government and this ministry have added 1,216 products to the formulary since 1995. That's our commitment to drugs for seniors and for those of limited means, and we are proud of that commitment.

**Mrs McLeod:** Your predecessor said the ministry was on track for deciding on this by the end of last February. Here's a letter from a woman who wrote in March, expecting that you were going to have a decision. She was part of a medical research project receiving Visudyne treatment. She writes, "The prospect of becoming blind is devastating. I am only 54 years old. Not only will this be a personal hardship, but I take care of my elderly mother. Without my sight, I fear I will not be able to take care of my parents." She adds that on her income, she can't afford to pay for the treatment herself.

Here's another letter from Audrey Webb of Madoc. She's 75 years old, and she's losing her eyesight. She can't afford to pay for Visudyne treatment herself, and she's afraid that she won't be able to care for her 75-year-old spouse if she goes blind. In fact, only 25 of 100 people who could benefit from Visudyne feel they can afford the cost of treatment.

Minister, is that your answer to people who have been waiting for eight months for you to fund this treatment? Are you telling them that if they want to preserve their eyesight, they've got to pay for it out of their own pocket? Is this part of Two-Tier Tony's privatization agenda?

**Hon Mr Clement:** Of course the answer to that is no. We have added 1,216 products, which is more than happened under previous governments, which have tended to delist medications to pay for their other programs. We

have not done that. We have added 1,216 products. Spending on the Ontario drug benefit plan has increased by 69.8% to a record \$1.8 billion under the Mike Harris government. We are proud of that record.

The honourable member is not capturing the reality of the situation when she says that and imputes the motives of myself and this ministry. From our perspective, we are doing everything as it should be done, according to the book. It started with Health Canada and its recommendations, it then goes to the DQTC and their recommendations, and we are apprised of that. I can assure this House that, just as we have done in many, many other cases with medications, at the earliest available opportunity we'll have an answer.

### TAX CUTS

**Mrs Tina R. Molinari (Thornhill):** My question is for the Minister of Finance. You have said that accelerated tax cuts are going to help stimulate the economy in the province of Ontario and help ensure this province is well prepared to deal with a time of economic uncertainty. Could you please explain why you have chosen accelerated tax cuts versus other methods—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Member, come to order, please. Sorry for the interruption.

**Mrs Molinari:** Minister, could you explain why you have chosen accelerated tax cuts versus other methods of dealing with this economic uncertainty?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I thank the member from Thornhill for the question. Tax cuts are more important now than ever in a time of economic slowdown, which we are experiencing. It's important that the people of Ontario more quickly have more money in their own pockets, their own hard-earned dollars. The government doesn't have any money that it hasn't taken from people in this province in the first place.

We know that lower personal income taxes are very effective for long-term sustained wealth creation in the province of Ontario and for job creation for individuals. It's for that reason that the personal income tax cuts, as announced by the Premier, were accelerated from January 1, 2002, to October 1, 2001.

In addition, as announced in the budget this year, the surtax on incomes of \$70,000 or less is being removed during the course of this year.

**Mrs Molinari:** Minister, on October 18 the member for Parkdale-High Park was in my riding of Thornhill. When asked if the Liberals would increase corporate taxes, his answer was, "We are not going to call it that, but we will increase corporate taxes." I think Ontarians know that the Liberals' plan is to increase taxes, no matter what they call it. You are cutting the province's corporate income tax rate to 25% lower than that of our counterparts in the state of New York. Why the perceived rush to cut corporate income tax?



**Hon Mr Flaherty:** It's certainly been indicated previously by members opposite, including the Leader of the Opposition, who said in 1997, "I will not reverse the tax cuts if I become Premier," that you can't afford to do so, that it would send out a negative signal about our economy. That's been the view expressed by the Leader of the Opposition, that he would not change the tax reductions that have been made by Premier Harris's government.

Corporate income taxes are important. It lets corporations spend more money on investment in plant and equipment, in people, in jobs, in growing their businesses. That's been the history of the province in the past six years, a history of investment and job creation, of a strong economy, of a solid, diversified, resilient economy so that now we're in good condition to resist a time of slower economic growth.

### CRUELTY TO ANIMALS

**Mr Mike Colle (Eglinton-Lawrence):** My question is for the Solicitor General. All across this province, the systemic abuse of animals is taking place by people who operate so-called puppy mills and backyard breeding operations. There are over 400 of these abusers operating across our province of Ontario. It's a free-for-all. There are very weak provincial laws and no provincial penalties to shut down these puppy mills. Repeat offenders, like the Miseners north of Toronto, have been operating at will since 1965.

Our provincial laws need to be updated and more powers must be given to the SPCA to shut down these criminals. Thousands of people across this province are supporting my private member's bill, which if passed would put an end to these puppy mills by setting up a provincial registry of lawful kennels and breeders, fining offenders up to \$50,000 and putting repeat offenders like the Miseners in jail. It would also increase the power of the SPCA to inspect.

I ask you today, will you support my bill to shut down these puppy mills or would you bring forward today a bill to put these criminals in jail?

**Hon David Turnbull (Solicitor General):** I certainly appreciate the question from my colleague across the floor. Obviously this is something that is of concern to all members irrespective of what political party they belong to.

As I've indicated in this House before, we have under review the whole of the OSPCA act, which has not been substantially changed since 1919. Clearly we are in the process of bringing forward changes to this. This being said, I have indicated to the SPCA that we're supportive of legislation and that we will be coming forward with legislation. In the meantime, I delivered a cheque for \$50,000 to help them with their prosecution of these important cases. This is allowing the Ontario SPCA to form a special operations unit.

**The Speaker (Hon Gary Carr):** The minister's time is up.

**Mr Colle:** The cheques you're delivering are fine; the SPCA needs all the money they can get. But these abused, defenceless animals need more than cheques. What they need is for you to do your job and make it a provincial offence to operate a puppy mill. Find these criminals, jail them and stop pet stores from selling these animals from puppy mills.

There is a lot of room for provincial legislation. The law should have been updated decades ago. You have done nothing to stop these—

**Hon Chris Stockwell (Minister of Labour):** I'm confused.

1520

**Mr Colle:** I know the minister across is laughing about this. People in this province care about these defenceless animals. They want you to do your job. Today I've got a bill that almost everybody in Ontario supports. Will you endorse my bill today?

**Hon Mr Turnbull:** I've already indicated on many indications that I will be bringing forward a bill, and you are fully aware of that. There are consultations with all of the stakeholders going on, and I would suggest to you that if you were to take the trouble of checking with the Ontario SPCA, you would find that they're very supportive of the measures I've been taking.

This being said, I have spoken to the federal Minister of Justice and encouraged her to move forward with Bill C-15, which in fact puts this into the Criminal Code in the proper context. Your bill, I would suggest, goes beyond the ambit of Ontario legislation. We on this side, being the government, have to make sure that any legislation we bring forward is legal within the framework that we operate in.

### INTEGRATED JUSTICE PROJECT

**Mr Bob Wood (London West):** My question is to the Attorney General. As members of this House know, the integrated justice project has been ongoing for quite a few years. It is generally thought to be a good idea in principle, but a number of people have raised concerns about the length of time being taken to implement it.

Would the minister tell us what parts of the project have been implemented to date which will provide better service for the public?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the member for his question on what is indeed a very important project. The integrated justice project is indeed an innovative procedure. It's breaking new ground. It's actually being watched by members from various parts of this province, from across the country and indeed from around the world.

I'm pleased to say what we have done here and are attempting to improve upon is a working relationship between my ministry, the Ministry of the Attorney General, the Ministry of the Solicitor General and the Ministry of Correctional Services. Together with private partners, we are making great progress and we have had

some successes to date. But I do want to say, before I list those successes, that there have been many challenges as well, as is often the case when you venture into new ground. I am, though, very proud of the computer-assisted dispatch program that the OPP and various municipal police forces are using. I'm similarly proud of the offender tracking system being used in the corrections ministry.

**Mr Wood:** I think it's generally agreed there are a lot of potential benefits to this program, but there's a pretty widespread view that there should be more focus on faster and better implementation. Could the minister please outline for us his timetable for further implementation of this project?

**Hon Mr Young:** Again I thank the member. We're at a stage now where we have a number of projects which we are presenting to members of the bar, members of the judiciary and others who regularly utilize the justice system. In order to make this project work, it's essential that we do so, because these people are important players and we need their input. I should say to you, though, that there's an electronic filing program that should be in place on a test or pilot basis in Hamilton in the very near future.

I'm equally proud of the fact that the crown case management program that has been established should be in place, again in a pilot capacity, in the London area in the not-too-distant future. Based upon the success of those endeavours, we will decide just how fast we can proceed forward with the other projects.

### CHILD CARE WORKERS

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Community and Social Services. Some 75 municipalities have declared today Child Care Worker Appreciation Day. They did so because these municipalities recognize the tremendous contribution made by child care workers who support the development of and care for our most important resource: our children. On the other hand, your government continues to show its disdain for these workers, for their value in terms of skills, training and efforts, and you do so because you continue to deny them the proxy pay equity payments that they deserve to truly compensate them for the important work they do.

Minister, instead of trying to waste money in court to fight these workers one more time, why don't you show your appreciation for child care workers today and pay them the pay equity they deserve?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** We provide a substantial amount of money toward child care and specifically toward wage subsidies in our regulated, licensed, institution-based child care. I recognize that this government will never be able to spend as much money as the NDP government would like to spend on child care or, for that matter, on anything. We saw what happened

in the NDP years where they spent money on everything. We had an \$11-billion deficit. We had less jobs, less hope, less opportunity. Now it's like a "he said, she said" game. He says cut taxes, she says increase social spending. It's quite the tag team.

**Ms Martel:** Minister, the question was about child care workers and whether or not your government appreciates the valuable contribution they make to the lives of our most important resource, our children. The fact is that child care workers, who are primarily women, are among the lowest-paid workers in the public sector, despite the tremendous work they do with our children.

Our NDP government recognized that fact. That's why we brought in the proxy pay equity law, to ensure that they were paid the amount of money they were entitled to, to recognize their contribution. Your government, on the other hand, cancelled proxy pay equity and when the Divisional Court ruled against you, you then placed a cap on these payments as of December 1998. It's estimated you now owe these and other workers in the public sector about \$140 million, wages which would finally recognize and compensate them for the valuable work they do.

I ask you again, Minister, when will you stop showing disdain for these child care workers? When will you pay them the proxy pay equity payments they are due?

**Hon Mr Baird:** This government is committed to pay equity. In fact, we spent \$500 million to put in pay equity. That's more than the government of which she was in the cabinet. In fact, for wage subsidies for child care providers we'll spend over \$116 million.

The sad reality is that what we have to do is pay the interest on the debt that you and your party and your cabinet built up for the five years you were in government. This year, we'll spend more than \$9 billion paying for the debt. We will pay \$9 billion of interest to pay for the legacy of financial and fiscal mismanagement of your government.

Now they're here today saying they want to give a tax cut to someone who wants to buy a Lexus, a tax cut to someone who wants to go to Hawaii. The NDP tax cut regime, the risky tax scheme—they wanted tax cuts. They want tax cuts more than social spending. We can never spend as much as the NDP would like us to spend. We saw the reality of the fiscal mismanagement created by those years of waste and wild spending—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

### ASSISTANCE TO FARMERS

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the Minister of Agriculture. It's a very simple question. Minister, where is your made-in-Ontario safety net program?

Over the past several months, you've made several grand statements, held talks and consultations on what, in my opinion, is a very laudable goal, but the time has come for you to make a definitive statement as to where this program is. Can you tell us, Minister?



The proposal has been on the desk since the spring. The proposal called for a substantial increase in safety net dollars, yet we hear nothing from you. It's time for you to take that leadership role and tell Ontario farmers exactly what is being done on their behalf. Farmers are scared. Agricorp has already stated that they're going to see the highest crop insurance payouts ever, yet there's been absolutely no word from you on what you intend to do with the market revenue program. Today, we have no market revenue for the crops that are being harvested.

Will you assume that role as a leader of the agricultural community today and announce to the farmers of Ontario exactly what actions you're going to be taking on their behalf?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** Certainly, our government is committed to working with our farmers and our stakeholders in the agricultural community to develop a made-in-Ontario solution. After we provided \$90 million when we recognized that farmers needed some assistance this past spring, we asked them to work with us to develop a made-in-Ontario solution. I'm quite proud to say that they have worked with us over the course of the summer.

With respect to the drought we've had this past summer and the programs we have in place, that's what those programs are there for, to meet those conditions that they've suffered this past summer. I can tell you that we're working with the input they've provided to us so that we can come up with a package that will provide some sustainability and some future to agriculture they can depend on.

1530

**Mr Peters:** Minister, the farmers have worked with you, but the farmers are still waiting. Farmers across this province need to know how much money is going to be made available to them. You, yourself, have raised the expectations of these farmers across the province with this made-in-Ontario program. It's incumbent on you to ensure that the money is there.

We know there are serious problems out there. The quality of the crops in this province is well below average. In many cases, beans are not even worth the cost of sending the equipment out into the fields to harvest them right now. Yields are far worse than anybody ever expected, and we know the insurance payouts are going to be enormous. But you cannot simply hold up an unknown pot of money and say to the different groups in the agriculture sector out there, "Here, go for it." There are serious problems for red meat, grains and oilseeds, edible horticulture and others. All of these have issues that you need to address on their behalf.

Will you assure the growers and the producers that the necessary funds will be appropriated and that you'll take the leadership role that is expected of the Ontario Ministry of Agriculture and you, the minister?

**Hon Mr Coburn:** Certainly we worked with the farmers, as I said, this past spring, and we have had tremendous support. The leaders of the commodities that we've been working with have confidence in our

preparing and have worked with us toward a made-in-Ontario safety-net solution. We have not failed farmers in the past and will not fail them in the future. When we come forward with this program, it will be able to provide some certainty to agriculture and agribusiness of a sustainable future for them.

#### AIMING FOR THE TOP SCHOLARSHIPS

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Minister of Training, Colleges and Universities. I recently had the honour to recognize the students in my riding who won Aiming for the Top scholarships this year. These hard-working students have earned high marks in their studies, and they deserve the recognition and support to help them to continue on to post-secondary education. Clearly our government not only believes in higher standards for Ontario students but it also believes in recognizing those students who surpass them. While I'm particularly proud of the students in my riding who have earned this distinction, I wanted to ask you to give this House a province-wide update of the results of this year's Aiming for the Top scholarship awards.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** I take pride in our young people in Ontario. This month all of us will have been given some information with regard to who did win the Aiming for the Top scholarships, and we do have an opportunity to get in touch with them and congratulate them. We acknowledge their excellence, we acknowledge their merit and we have great confidence in the future of our province because of them.

There were 6,733 new Aiming for the Top scholarships that were awarded in Ontario secondary schools this September, and I just know that everybody must be very proud—their families, their teachers and certainly all of us, the MPPs in Ontario. Of that number, 1,900 actually earned average marks of 90% or higher, which is really just terrific. Since we announced the program in 1999, we've invested \$25 million. When it comes to maturity in 2003, there will be \$35 million invested in our young people.

**Ms Mushinski:** Thank you for that update, Minister. I know that our government did promise in the Blueprint to ensure that willing and qualified students in Ontario would be able to attend college or university, and it seems that this is another important step toward fulfilling that promise. But as we speak—and I know the Liberals are not interested in this, but I know that we, as government members, are—another graduating class of high school students and their parents are in the process of making plans for the future. I know there are many students in my riding, as well as across the province, including I'm sure Liberal ridings, who will be interested in being considered for next year's awards. What students are eligible, and how would they apply?

**Hon Mrs Cunningham:** It takes the students to get my colleagues in this House somewhat relaxed and pleasant with each other, so I congratulate everyone in this regard. It is our students that we do represent.

The applications are open to all students who are Ontario residents, who earn high marks and who will continue full-time studies in Ontario. They can apply for next year's Aiming for the Top scholarships through the standard OSAP forms. Eligibility is determined by merit and the amount of the award is determined by need. If they do well, students can receive up to \$3,500 in support, and if they continue to do well, they can actually maintain these scholarships for up to four years.

I hope this year's students are already thinking about it. They can go to their guidance counsellors, they can go to the financial aid offices at Ontario colleges and universities or they can look at the information through our training, colleges and universities Web site.

#### CABINET OFFICE FUNDING

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is for the Minister of Finance. Your response to my question on Monday about the 116% increase in cabinet offices was quite pathetic and, frankly, an insult to the intelligence of the people of this province. I hope you can provide a better response as you vie for support in your leadership campaign.

I've not been able to find any significant change in the work that cabinet offices do to justify your 116% increase. What I have found, though, is that the operating costs for the Office of the Assembly, this Legislature, have decreased by 18%. The anomaly is in the cabinet offices. The question for you is, how has the work of cabinet offices changed to justify the increase of 116% in operational costs?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The current size of the Ontario public service, as of June 2001, was 61,430 full-time equivalents, also known as FTEs. Since June 1995—and I'm sure the member wants to know this information—there has been an employee reduction of 19,270 FTEs and the additional elimination of 2,610 vacant positions.

I know the member opposite wants to have this information because she is concerned about the costs of operating the Ontario public service. The figures I've provided, the reduction in the number of positions, means that \$600 million per year has been saved for taxpayers since this government came to office in 1995.

**Ms Di Cocco:** The point is still the same. It's contradictory that you should, in your cabinet offices—if you have a smaller Legislature now and everyone else has been cut down, it would seem reasonable to expect that your cabinet offices' operational costs would decrease, as has every other ministry. This increase doesn't fit with your response that you've made government smaller and leaner. You've got a double standard here, Minister. The operational cost has ballooned by 116%. You're the Minister of Finance; you approved that bud-

get. Did this increase escape your scrutiny, or did someone else approve it?

**Hon Mr Flaherty:** Six hundred million dollars per year in savings is substantial savings for the taxpayers of the province of Ontario. That's the reality in the Ontario public service.

With respect to Cabinet Office itself, a number of changes have happened: restructuring to support the new cabinet committees structure and the decision-making processes of cabinet, the creation of the Ontario Olympic Sports and Waterfront Development Agency in support of Toronto's 2008 Olympic bid and the important waterfront development work. I'm sure the members opposite want to support the waterfront development work at the city of Toronto, and I encourage them to have their federal counterparts maintain a commitment to that waterfront development work because there are grave concerns in the city of Toronto that you Liberals are going to welsh on your commitment to the people of the city of Toronto for waterfront development.

Six hundred million dollars in savings; this contrasts to an increase in the cost of the Ontario public service of \$1.2 billion under the last—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the time is up.

1540

#### TRANSIT FUNDING

**Mr John O'Toole (Durham):** My question is to the Minister of Transportation. Minister, earlier this week you met with your counterpart, the federal minister, David Collette. I'd encourage members to follow up on this by reading a report by Royson James in the Toronto Star, which, by the way, does give a fairly accurate report. According to the report, you met to discuss the promise that the federal government made in their red book and have been making relentlessly during their past federal election, namely, that they would take steps to fund transit in this province. We all know about the Liberal election promises: GST.

Commuters in the GTA and certainly in my riding of Durham and across the province were expecting great things from your meeting; however, I learned from the report that we're all disappointed that the federal government has made no commitment to fund transit. Minister, can you elaborate on this situation for the House today?

**Hon Brad Clark (Minister of Transportation):** I want to thank the member for his question. It's something that's very pressing for the province of Ontario.

As you know, last month the Premier announced a transit plan that would see this government sharing the costs of ongoing funding for transit capital renewal. We committed to providing up to one third of the eligible municipal transit costs in the amount of \$3 billion over 10 years. Municipalities are on our side. They have committed their share also.

The third member of this partnership was supposed to be the federal government, and we had every reason to



believe that they would have been there with us at the table. For example, at the TTC's 80th anniversary celebration on September 6, Minister Collette said his government is "committed to working with partners across Canada to help improve public transit."

In the *National Post* on January 15 the minister boasted that the federal government has committed itself to becoming involved as a partner in urban areas. What the federal Liberals have failed to understand is that you can't pass yourself off as a supporter of transit without fulfilling—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up. Supplementary?

**Mr O'Toole:** Thank you very much for that rather important response, Minister. I know how hard you and your cabinet colleagues have worked to improve transit service.

You mentioned your partnership and the fact that municipalities and Ontario are onside. I know I've read about Ann Mulvale and others who have supported that.

Why is it that the federal government does not want to be partners in funding transit when all the key stakeholders in Ontario are at the table and willing to participate? Does the federal Liberal government not understand the reality of an effective, balanced, integrated transit system that would be responsive to the everyday needs of everyday people?

**Hon Mr Clark:** Let's take a moment and put this into perspective. The US federal government is investing more than \$200 billion in transportation, including urban transit. A comparable commitment by the government of Canada would be \$20 billion. We're only asking Ottawa for \$3 billion over 10 years.

The municipalities are with us; the developers are with us; the environmentalists are with us. Everyone in Ontario seems to agree that what we've proposed makes sense. The only one that isn't there is the federal government. Everyone is asking them to come to the table with the money to help us in transit. The only ones who aren't asking them to come to the table are the Liberals on that side of the House. Dalton McGuinty is missing in action. No one over there has asked the federal government to come to the table for transit. Where are the Liberals?

## MUSLIM COMMUNITY

**Mr Peter Kormos (Niagara Centre):** To the minister responsible for multiculturalism: you know full well that Muslims have been and continue to be the targets of hate-motivated backlash to the events of September 11. Of any group, they're the ones most in need of reassurance of their safety and security, yet you excluded them from this ad. You see, leadership and members of the Muslim community have made it clear to me that they're upset about the deliberate omission. They've expressed their concerns to me. I pass them now to you.

My question is simple. Why did you choose to omit the image of identifiable Muslim men and women from this ad? Why didn't you include a Muslim woman wear-

ing a hijab, for example? The image is conspicuously absent. Why?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** First of all, I'd like to suggest to the member opposite that he may have in his own mind a profile for a person who is a Muslim in this country and in this world, but as the minister for this province, I attended the Muslim conference this summer and spoke. I met people from Israel, I met people from South America, I met people from all over the world, and I for one could not stylize the look of a Muslim in this country.

We are fortunate that we live in a province where people can practise their religion, attend their schools and participate fully in the life of our province without specific identifiers. In this instance, Mr Speaker, if the member opposite would like the matter raised, both the Premier and I will be meeting with Muslim leaders later this afternoon, but I for one happen to believe that the member is on a fishing expedition here, and I think it's most inappropriate.

**Mr Kormos:** You know full well what I'm talking about. It's those Muslim women, for instance, who wear head coverings and who wear the hijab as a part of expression of their faith who are literally afraid to leave their homes, young and old, in this community because they are identifiable as Muslims. You had a chance to include them among the people whom you regard as being Ontario's members in Ontario's communities.

We filed a complaint with Advertising Standards Canada on behalf of that community, on behalf of those persons. You pretend your ad's there to reassure people, but your omission of an identifiable Muslim wearing garb that clearly reveals their faith appears to be a breach of at least three sections: exploiting fears, providing unacceptable depictions and portrayals, and defying the federal gender portrayal guidelines governing diversity and guidelines.

Will you explain why you would not have included a Muslim woman in a hijab as part of Mike Harris's Ontario that deserves reassurance that their safety and security is foremost in the Premier's mind as well?

**Hon Mr Jackson:** Mr Speaker, I am very concerned about the tone and the nature and the approach the member is taking in the question. Again, I have to say that in the course of the last month I have met on numerous occasions with leaders of the Muslim community in this province, and I must confess that not once was this the nature of the concern they expressed. I for one believe it's not helpful to the process of the inclusion of all people in this province for a member to stand in his place and raise this kind of a question. The Muslim community seeks to be understood and they need to be listened to, and those are the things that we're doing. All members of Ontario's society should engage in this process.

I can share with this House that I for one have concerns that even until recently your own NDP Web site selling memberships was asking for ethnic profiling as a condition of applying. In my view, that is most inappro-

priate, and I am pleased that it was recently removed from your Web site.

#### PRIVATE MEMBER'S RESOLUTION

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: This is tangential to the decision you're going to make within the next while with respect to Mr Guzzo's resolution. I would ask you also to consider, sir, what happens in the event that you rule that resolution out of order. It's an hour of private members' time that would be lost. The members on all sides of the House, I am sure, would want to make sure that should your decision impact to the negative in terms of allowing that resolution some method be allowed to accommodate an hour of debate on another private members' matter.

**The Speaker (Hon Gary Carr):** I thank the member for his input.

#### PETITIONS

##### COMMUNITY CARE ACCESS CENTRES

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** "To the Legislative Assembly of Ontario:

"Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of \$175 million due to a funding rollback by the provincial government; and

"Whereas due to this funding rollback, community care access centres have cut back on home care services affecting many sick and elderly Ontarians; and

"Whereas these cuts in services are forcing Ontarians into more expensive long-term-care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately lift the funding freeze for home care services, so as to ensure that community care access centres can provide the services that Ontario's working families need."

I will affix my signature to this petition.

1550

##### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr Tony Martin (Sault Ste Marie):** I have a petition to stop the clawback that this government is doing on the national child tax benefit supplement. I've got 460 further names to the 7,000 of the other day from all over Ontario.

**The Acting Speaker (Mr Bert Johnson):** Order. Did you want to read it or did you want to explain it?

**Mr Martin:** I wanted to do a little bit of both.

**The Acting Speaker:** No, one or the other, please.

**Mr Martin:** "Whereas one in five children in Ontario live in poverty; and

"Whereas, as part of the national child tax benefit program, the federal government gives a supplement to low-income families across the country to begin to address child poverty; and

"Whereas that money, up to approximately \$100 per month per child, is meant to give our poorest and most vulnerable children a better chance in life; and

"Whereas in Ontario the Conservative government deducts the child benefit supplement, dollar for dollar, from those living on social assistance; and

"Whereas this is leaving our province's neediest children without extra money they desperately need to have a chance to begin their climb out of poverty; and

"Whereas all children are entitled to a fair chance at life;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to demand that the provincial government of Ontario stop the clawback of the national child tax benefit supplement and ensure this federal money reaches all low-income families in Ontario."

I assign my signature to it and give it to Timothy here.

##### POST-SECONDARY EDUCATION

**Mr John Hastings (Etobicoke North):** I have a petition here for the Legislative Assembly dealing with a very vital issue.

"To the Legislative Assembly of Ontario:

"Whereas post-secondary education is very important in the development of young adults, to the betterment of society and the economic future of our province; and

"Whereas the continuing challenge and cost of education facing families in Ontario in the 21st century is ever increasing; and

"Whereas the cost of post-secondary education in Ontario requires a combination of government and individual financial support; and

"Whereas the tax credit proposed in Bill 4, Saving for our Children's Future, 2001, will effectively and beneficially encourage families to save for their children's education; and

"Whereas the large majority of children and families with a registered education savings plan do not apply for OSAP, thereby freeing millions of dollars for other OSAP students;

"Therefore, we, the undersigned, hereby respectfully petition the Legislature of Ontario to act quickly to pass Bill 4, Saving for our Children's Future, 2001, and thereby extend the opportunity of post-secondary education to thousands of Ontario children for the future."

I proudly affix my signature to this petition.



## MUNICIPAL RESTRUCTURING

**Mr Dave Levac (Brant):** This petition is signed by over 200 people in Ontario.

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

I sign my name to this petition.

**Mr Michael Prue (Beaches-East York):** I too have a petition I would like to read. It's to the Legislative Assembly of Ontario.

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

It's signed by 251 residents, and I too will affix my signature.

## HIGHWAY 407

**Mr John O'Toole (Durham):** Mr Speaker, as you would know, earlier today I posed a question to the

Minister of Transportation, and this petition is addressed to the minister.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into the Durham region and the proposed route, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd Oshawa," which is in my riding of Durham,

"Whereas such routing will destroy completely five holes, and severely impact two additional holes effectively destroying the golf course as a viable and vibrant golf course,

"We, the undersigned, petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded, public facility patronized annually by thousands of"—many thousands of my constituents, residents of Durham region and the GTA.

I am pleased to support—

**The Acting Speaker (Mr Bert Johnson):** Thank you. Further petitions?

## DOCTOR SHORTAGE

**Mr Michael Gravelle (Thunder Bay-Superior North):** As you know, there is a severe doctor shortage crisis in Thunder Bay and northwestern Ontario. I have a petition here signed by 40,000 people.

"To the Legislative Assembly of Ontario:

"Our community is facing an immediate, critical situation in accessing physician services and in providing hospital care to the people of northwestern Ontario. While the recruitment and retention of physicians has been a concern for many years, it is now reaching crisis proportions. Training more physicians in northern Ontario is certainly the best response to this problem in the longer term. We are, however, in urgent need of support for immediate short-term solutions that will allow our community both to retain our current physicians and recruit new family doctors and specialists in seriously understaffed areas.

"Therefore, we, as residents of Thunder Bay and northwestern Ontario, urge you to respond to our community's and our region's critical and immediate needs. For us, this is truly a matter of life and death."

I am very pleased to sign my name to this petition.

## MUNICIPAL RESTRUCTURING

**Mr Tony Martin (Sault Ste Marie):** "To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

There are 190 signatures here. I sign mine and give it to Cherie to deliver.

#### EMERY ADULT LEARNING CENTRE

**Mr Mario Sergio (York West):** I have a petition that is addressed to the Legislative Assembly of Ontario.

"Whereas, due to the Harris government's continued erosion of funding for education, the Toronto District School Board may be closing the Emery Adult Learning Centre in June of 2002; and

"Whereas many of the students at the Emery Adult Learning Centre are new Canadians who need to further their education if they are to become productive citizens of Ontario, and they do not want their school closed; and

"Whereas Mike Harris is cutting the heart out of the community by closing the Emery adult day school programs, whose students need this type of education to get off welfare, need better job prospects, and need to learn skills necessary to contribute to society;

"Now, therefore, we, the undersigned citizens of Ontario, petition the Legislative Assembly of Ontario as follows:

"We call upon the Minister of Education, who has the primary responsibility for providing quality education for each and every student in Ontario, including adults, to:

"(1) Listen to the views being expressed by the teachers and students of Emery Adult Learning Centre who are concerned on the implications and disruptive effects of the school closure;

"(2) Recognize the fundamental importance of adult education for new Canadians who need help settling in our neighbourhood communities;

"(3) Live up to the government's commitment to provide adequate funding to meet the education needs of adult students across the province, and not allow the closing of Emery Adult Learning Centre."

I concur with the petition, and I will affix my signature to it.

**The Acting Speaker (Mr Bert Johnson):** Pursuant to standing order VIII 30(b), I interrupt the proceedings now to call orders of the day.

1600

## OPPOSITION DAY

### PROVINCIAL SALES TAX

**Mr Howard Hampton (Kenora-Rainy River):** I move that the Legislative Assembly calls on the provincial government to implement a temporary provincial sales tax holiday to provide immediate stimulus to Ontario's sagging economy, to enhance consumer confidence and to create a progressive tax cut that would help working families at the cash register when they need it most.

**The Acting Speaker (Mr Bert Johnson):** Debate?

**Mr Hampton:** The evidence grows daily that Ontario's economy, and indeed Canada's economy, is declining very quickly. Today the chief of the Bank of Canada admitted in a speech that Canada's economy will be likely to reach a 1.5% growth rate for the year 2001 overall. In fact, he acknowledges that for the last two quarters of the year, which we're into right now, essentially the situation may be flat. He even acknowledges there may be less than zero growth, which means a recession.

The chief of the Bank of Canada recognizes as well that what is plummeting, what is declining very rapidly, as he said in his speech, is consumer confidence. What is so important about consumer confidence? It is this: consumer confidence, consumer purchases, account for two thirds of economic activity in this province and in Canada generally. When you factor in all of the types of economic activity, it is in fact the activity of 11-million-plus consumers in this province who have a very great say in determining how much economic activity we have, how much stimulus there is in the economy or, on the other hand, how much people are staying away from the shopping malls, how much people are staying away from chain stores and therefore how many layoffs we have in our society. So the chief of the Bank of Canada admits in his speech today that consumer confidence is declining very rapidly.

This calls on governments to react. The Bank of Canada has reacted by lowering interest rates to the lowest rate in 40 years. We have not seen interest rates this low since 1961. Just yesterday the Bank of Canada aggressively lowered interest rates by three quarters of a per cent. What does this indicate? That the Bank of Canada recognizes very clearly that consumer confidence needs to be stimulated, measures need to be taken to say to consumers across Ontario and across Canada that we recognize that their confidence is declining, we recognize their activity in the economy is declining and that something must be done to address that.

It's not just in Canada that central banks are recognizing that something must be done. We have seen aggressive interest rate cutting in the United States, we've seen



aggressive interest rate cutting by the Bank of England. Again, they all worry about consumer confidence. What does cutting the interest rate do? It says to consumers, "If you are thinking about buying a home, we're going to cut the interest rates so much that we'll make it more financially attractive to you to buy a home, to take on a mortgage. If you're thinking about buying a car, a cut in the interest rate will make it much cheaper to finance a loan to purchase that car." It also potentially makes it cheaper for consumers to take out a variety of personal loans for the purchase of household products, like maybe a fridge or stove.

But the interest rate is only one way of speaking to consumer confidence. Another way to speak to consumer confidence is to say to consumers directly, "If you're going to go out there and you're going to purchase, for example, winter clothing, we're prepared to substantially reduce the sales tax on the purchase of winter clothing." God knows that's something that is a necessity in Ontario already this fall, and will certainly be a necessity as we head into winter. Or we see students returning to school. Eliminating the provincial sales tax on the purchase of school supplies would also be another important message to consumers: "If you're prepared to make these purchases, which we know you need, we're prepared to make it better for you financially," by either eliminating or substantially reducing the sales tax.

Instead of speaking directly to the 11-million-plus consumers in this province, instead of dealing with the issue of consumer confidence, which everyone acknowledges is a problem, what has this government done? Well, what it has done is it has trotted out its familiar rhetoric. Instead of providing some incentive to the more than 11 million consumers out there, it has gone to Bay Street and offered up \$2.5 billion in corporate tax cuts. These corporate tax cuts are not going to get to the consumers of the province. The corporate tax cuts are only going to get to those corporations that in fact are already showing a profit. These corporate tax cuts will not even help companies that are in trouble.

So in the auto parts production industry we have A.G. Simpson with 2,000 jobs at stake. A.G. Simpson will not benefit from these corporate tax cuts. A.G. Simpson isn't showing a profit. They only pay corporate taxes on their profits, so if they're not showing a profit, they will not get any corporate tax break. Let's take Stelco. Stelco announced a substantial loss and Stelco is going to lay off some 435 employees. Stelco will not benefit from these corporate tax cuts. Algoma Steel has announced substantial losses. They will not benefit from these corporate tax cuts, and literally hundreds of jobs could be at stake there. The Hudson's Bay Co and Zellers department store, which are right there on the front line in terms of consumer confidence and the willingness of consumers to go out and make the purchases they need—for example, in this case, winter clothing—have both announced that they're going to lose money. They will not be helped by these corporate tax cuts.

What we've got in answer to the decline in consumer confidence is a government that says, "We're going to give money to our corporate friends—\$2.5 billion." I just want to outline for people across Ontario who is going to get the money from this corporate tax cut. Let's take Bell Canada Enterprises Inc. Bell Canada, BCE Inc, as it's known, had profits in the year 2000 of \$4.861 billion. Bell Canada, based upon the corporate taxes they paid last year, if we assume that 40% of Bell Canada Enterprises's operations were taxable in Ontario, they had \$1.9 billion in Ontario profits and they paid \$260 million in provincial corporate taxes, will get a corporate tax cut of \$22 million this year, and fully phased in they will get a corporate tax cut of \$152 million.

**1610**

This government's strategy is simply a strategy to benefit those corporations that are already doing very well. What does this do for consumer confidence? I suggest to you, nothing. In fact, what we find when we look at Bell Canada Enterprises Inc is that Bell Canada Enterprises Inc is one of those corporations that is actually going to be laying off people. Bell Canada Enterprises is not going to take these corporate taxes and ensure that their workers are employed and able to contribute to the economy. If you look at one of the Bell Canada Enterprises companies, CTV, they are busy laying off hundreds of workers in Ontario, particularly in northern Ontario. Bell Globemedia, another Bell company, has said that they are looking at laying off hundreds more. How does feeding the hand of this large corporation help consumer confidence? I think people across Ontario, if they reflect on it, will see that putting more profits in the hands of a company that already has, last year, \$4.861 billion in profits does nothing for consumer confidence, does nothing for the 11 million people out there. It simply makes a company that is bulging in profits more profitable still.

The other point the government makes is that accelerated personal income tax cuts will stimulate consumer confidence. That was exactly the same rhetoric that George Bush, the American President, put across this past summer. He said that a personal income tax cut to the tune of several billion dollars in the United States would stimulate consumer confidence. The problem with that argument, and it's a problem that George Bush has and a problem that this government has, is that in troubled economic times, when people are worried about losing their own jobs or they're worried about perhaps being reduced to fewer hours, or when people are just generally worried about the state of the economy, when they receive a personal income tax cut, they don't go out there and spend it in the economy, they don't go out there and contribute to more economic activity. What they tend to do is say, "Oh, I got this little bit of extra money from this personal income tax cut. I'm going to put it away for a rainy day. Because I don't know what's happening in the economy, I'm going to put it away."

If you look at what happened in the United States with the Bush government's very aggressive income tax cut—

it amounted to \$600 per household in a direct cheque this summer. If you look at what those households did, about 150 million of them across the United States, 75% did not go out and spend that personal income tax rebate. They put it in their pockets. In other words, 75% of taxpayers in the United States said, "I vote no on this personal income tax cut. This personal income tax cut you've given me is not providing me with an incentive to go out there and make the purchases I need."

I predict the same thing will happen with this government's personal income tax cut, that it is not going to result in any reinforcement of consumer confidence and it's not going to result in any stimulation of the economy. Because people are worried about the state of the economy, because so many are worried they might lose their job, people will simply put it away for a rainy day, put it away in case they suffer from reduced hours at their workplace or in case they lose their job. There will be minimal, if any, stimulation of consumer confidence and minimal, if any, stimulation of the overall economy.

Why is this question of consumer confidence so crucial right now and why is the government strategy so wrong-headed? It's crucial because if we cannot begin to restore and rebuild consumer confidence, if consumers over the next three months, let us say, take the attitude, "Well, I'm not going to purchase that winter clothing," or "I'm not going to purchase those winter boots," or they say, "Despite the fact that I need a fridge, I need a stove, I'm not going to make those purchases because I'm worried about the economy," if they stay away from the Zellers stores, the Bay stores and the Sears stores, if they stay away from the shopping malls, what then tends to happen is that there is a further decline in the economy, which is what's happening. The Bay and Zellers and Sears are telling us that. So the Bay and Zellers and Sears then lay off and small businesses lay off. That decline in consumer confidence and those layoffs in the retail sector then result in further economic decline.

It's very important to deal with this issue of consumer confidence now. That's why the Bank of Canada is acting. That's why the Federal Reserve bank in the United States is cutting interest rates so aggressively. That's why the Bank of England is cutting interest rates so aggressively. What's the Harris government's answer? The Harris government, the Conservative government, is not going to address the issue of restoring consumer confidence or giving the 11-million-plus consumers in Ontario a reason to go out there and make the purchases they need. The Conservative government is simply going to funnel more money to corporations that are well off and to high-income earners who are well off and ignore the overall plight of 11 million consumers.

There is all kinds of evidence of what happens when you implement a temporary provincial retail sales tax reduction. That evidence comes not only from Canada, but from a number of states in the United States that have in the past implemented sales tax holidays, sales tax reductions, as a way of stimulating consumer confidence.

I want to give you an example. The province of Saskatchewan is reducing its provincial sales tax from 9% to 6% and it's eliminating the sales tax on home heating oil completely, making it tax-free. Why? Because they want to stimulate consumers in that province to go out and make the purchases they need. They want to forestall further layoffs and further economic decline in that province's economy.

I mentioned several US states. New York enacted the first sales tax holiday in 1997. Florida and Texas quickly followed suit. By the year 2000 legislative session, 21 states in the United States were considering the concept. Since the disaster of September 11 in the United States, several more states are looking at a targeted sales tax reduction as a means of getting consumers back into the retail stores, back into the shopping malls, getting them to make the purchases they need, saying to them directly, "If you're prepared to make these purchases—a fridge, a stove, winter clothing, perhaps furniture you need for your home, perhaps a new car—we will substantially reduce the sales tax and save you money as an incentive."

I want to address the cost of this. The government's accelerated corporate tax reduction is going to cost \$2.5 billion on an annual basis, but will do nothing to stimulate consumer confidence, nothing to bring consumers back into the retail stores, the small businesses and the restaurants to make the purchases they want to make and, in many cases, need to make. So there is \$2.5 billion this government's going to give away to the most profitable corporations in this province, with virtually no effect on consumer confidence.

Merely reducing and eliminating the retail sales tax for the next three months would only cost the province, in terms of revenues foregone, \$1.5 billion. Some of that money would be recouped if people respond, and I think they will respond, because the evidence from Saskatchewan and the United States is that overwhelmingly they responded. If people go out and then make those purchases, some of that \$1.5 billion would be recouped.

I think the government's position is indefensible. At a time when consumer confidence is on the decline so severely and is recognized as such by all kinds of economic commentators and by the Bank of Canada, the government's response is to say, "We're not going to do anything in terms of a provincial sales tax reduction. We're not going to reward consumers. We're not going to try to attract consumers into the small businesses, into the chain stores, into the shopping malls. We're simply going to give more money to corporations." I think that is absolutely indefensible, particularly since it's going to cost so much money and is not going to have any effect in restoring consumer confidence.

That's why we have put this motion forward. We believe, and the economic commentators out there believe, that something must be done now, must be done quickly and must be done in a focused way to enhance and restore consumer confidence. We don't see anything from this government. Corporate tax cuts are not going to work. Larger personal income tax cuts aimed at the well-



off are not going to work. They haven't worked in the United States. We call for a three-month retail sales tax holiday in Ontario to save the 11 million consumers in Ontario. Go out, purchase the things you need and you want and help us restore the economy in doing such.

1620

**Mr John O'Toole (Durham):** I'm very interested in responding to opposition day number 1, where somebody "calls on the provincial government to implement a temporary provincial sales tax holiday to provide immediate stimulus to Ontario's sagging economy, to enhance consumer confidence and to create a progressive tax cut that would help working families at the cash register when they need it most."

First of all, I'd like to respond to comments made earlier by the leader of the third party in respect to comments I made yesterday on a supply bill. I take it as a compliment because he refers to me as somewhat of a financial expert. That just shows you how much trouble they really are in if I'm considered the financial expert.

It's important to start with recognizing the importance of having a balanced tax strategy. The most important thing recognized here is that this government is known, and is clearly on record, as being against taxes, and has reduced taxes. It's a precarious balance, to find the right balance of revenue and expenditures.

Mr Hampton has put forward a recommendation of three points and I think, without having the actual facts in front of me, that each point in the retail sales tax represents probably about \$1.5 billion in revenue, so you're talking about a considerable amount of revenue reduction. At the same time, he's not talking about expenditure reductions. You can't have one without the other. We're committed to a balanced budget. His government was operating in the order of a \$10-billion to \$12-billion annual deficit. That was about 20% or more of their spending. I can't in all conscience think they've thought it through very well. If he were to converse with his previous Treasurer, Floyd Laughren, he'd find that their economic fundamentals and strategy were absolutely flawed. If you look at Floyd today—he's at the Ontario Energy Board, so clearly he's doing fine—he's a fair-minded person who keeps the environment in focus.

As to what this government has done, I think it's important for the members of the House to refer to Minister of Finance Jim Flaherty's budget that he presented. In this budget, Mr Flaherty's responsible choices indicate very clearly, in this document, that right now we're spending over \$23 billion on health care, that we're actually spending an increased amount, \$8.1 billion, on education, operating grants for school boards, and \$2.8 billion for colleges and universities, and the list goes on.

I recognize that the expenditures in this province, the careful decisions made to support important public spending, haven't been addressed in this opposition day motion, which is clear evidence that even when they were government, they just didn't grasp the concept of the relationship between revenue and expenditures.

In his supplementary remarks, he may find time to address that portion of it. Health care is consuming over 40% of our budget. Education is consuming in the order of a total amount of around \$14 billion. You've got to look at the whole equation and look at the expenditure side as well. Of the total revenue, by the way, I believe that from retail sales taxes it is in the order of about \$14 billion.

Tax cuts have been an integral part of this government's agenda, as I've said, and the economy; and the results are the proof. Numerous studies around the world have confirmed this government's belief that tax rates are one of the most important factors in determining economic growth and productivity.

Mr Speaker, you would know that the most important way of respecting the plan is to imitate the plan. I put to you that other provinces and other jurisdictions, including the federal government, have imitated our plan by reducing personal income tax as being the most effective tool to put the taxpayers' money, the hard-working income tax relief, right back in the taxpayers' pocket, and they decide where to spend it. I'm referring to studies published under the auspices of well-respected international organizations, including the International Monetary Fund, the National Bureau of Economic Research and the Federal Reserve Bank of Atlanta. It is satisfying to see our government's economic plan for this province receive such appropriate recognition.

And yet we need not rely on studies to have our strategies confirmed. We need only look to this great province of ours: three consecutively balanced budgets and \$3 billion paid off the accumulated debt. Because of our commitment to cutting the tax burden, our people and businesses of Ontario have enjoyed a strong economic growth and unprecedented job creation. During the time this government has been in office, the Ontario economy has created 827,100 new jobs. That's 827,100 jobs in the last six years.

I hardly need add that this is a remarkable accomplishment. There's more to be done. We have worked hard to make tough decisions in an effort to make Ontario the best place to live, to work and to raise our families. I am confident that we have succeeded. And we'll continue to work toward that goal.

As a result of our personal income tax cuts, a significant number of low-income earners, some 755,000 to be precise, are no longer required to pay Ontario's personal income tax; 325,000 of these have been removed from the income tax rolls since 1995. It's not only these lower income earners who have benefited from our personal income tax cuts. Cutting personal income taxes means that all people have more money in their pocket to use as they see fit: to spend, to save or to invest.

Cutting personal income taxes raises consumer confidence and stimulates the economy as no other government initiative can directly. This is why, at this point of projected slower economic growth, we will still not abandon our well-defined plan to continue cutting personal income tax rates. In fact, this was just advanced, as you

know; the 20% was advanced. The Premier and cabinet announced that just recently. Such a plan is also being advocated by many other leading Canadian economists. In fact, we have accelerated, as I said, the tax cuts promised in the previous budget to take effect October 1, 2001. We've also accelerated our corporate tax cuts by promising that the cuts due on January 2, 2002, take effect three months earlier, on October 1, 2001, which sends a clear message to investors that Ontario is open for business.

Accelerating corporate tax cuts and business tax cuts, as I like to call them—what we propose to do—would free about \$115 million in tax cuts this year for business to use for investing and helping to keep workers on the payroll. Cutting taxes now demonstrates our faith in the tremendous growth potential for our province, as well as the entrepreneurial spirit and productivity of Ontario's workers. Cutting taxes also demonstrates our commitment to the successful economic course that we set out in 1995 and 1999 through today. The most significant and comprehensive package of tax reduction incentive was introduced earlier this year by our finance minister, Jim Flaherty, in the 2001 budget. Ontario's Edge involves, among other measures, moves to improve Ontario's tax competitiveness, not just in Canada but throughout the world.

One component is tax cuts for corporations. We are legislating the full schedule of corporate income tax rate cuts each year between now and 2005. By 2005, these tax cuts would give Ontario one of the lowest combined corporate income tax rates in Canada, which will make the province a prime destination in North America to do business; a very important signal, in response to Mr Hampton's earlier remark, that we have to keep the climate ripe for investment, which in fact creates jobs. No Canadian province would have a lower general corporate tax rate.

1630

Lower corporate taxes will encourage companies already here to invest more in new facilities and will attract other companies that may not yet have operations in Ontario. They also give business certainty. Because of our tax credit protection legislation, businesses know that they will not be hit with tax increases any time in the future.

Also, part of Ontario's Edge is the first step toward eliminating the job-killing capital tax. A tax on capital discourages investment in capital when more capital per worker is what is needed to boost productivity and in fact equates to a higher standard of living. We have announced that we will take the first steps toward eliminating this job-killing tax by removing it on the first \$5 million of taxable capital. This is one of the steps we have accelerated. We propose to make this cut effective October 1, 2001, rather than 2002, as originally planned, as further evidence of stimulus to the investment climate in Ontario. This would eliminate the tax for more than 11,000 existing small and medium-sized Ontario busi-

nesses, as well as benefiting larger firms that still continue to pay this tax.

We know that corporations are unwilling to invest in places where their workers and their families will face exorbitant personal income tax burdens. We know they are also unwilling to invest where their businesses will face a higher corporate tax burden. In other words, it's simply being more competitive.

We are confident that our policies to cut personal and corporate income tax rates have been the main reason that Ontario's economy has performed so remarkably over the past six years.

Even in the face of potential slower economic growth as a result of the incidents of September 11, our policies will prevail. The track record of this government—prudence, caution and an ability to make tough decisions—has contributed to the strength and reliability of our Ontario economy. As our finance minister, Jim Flaherty, has indicated, we are in better shape than ever to weather a period of economic uncertainty.

With the 2001 fall economic outlook, the minister will demonstrate to all Ontarians that the foundations for renewed, healthy, long-term economic growth are intact. The records of the Liberals and the NDP clearly demonstrate their failure in putting the citizens of Ontario and the economy of Ontario on a solid footing. Evidence of Liberal and NDP fiscal mismanagement is found in the history books.

Tax cuts will continue to help the people of Ontario. They will continue to help the businesses of Ontario. Virtually all forecasters cite tax cuts as a key reason that Ontario will continue to have a higher GDP in 2001 than most other jurisdictions. Economic indicators suggest that the forecasters are right. Over the first eight months of 2001, Ontario's retail sales tax rose by 3.5% from the same period in 2000.

Consumer confidence was also demonstrated by the pace of activity in Ontario's housing market. Over the first nine months of 2001, Toronto home resales are 13% ahead of the same period last year. Housing starts are 4.7% ahead of the same period last year.

Because we were proactive and did not shrink from making tough decisions, Ontario is better poised to withstand economic challenges. The tax-and-spend approach of the Liberals and the NDP is a proven failure. The evidence in the history books is clear, make no mistake about that.

The Ontario economy is strong, diverse and resilient due to the prudent fiscal management and decision-making of the Progressive Conservative government under the leadership of Mike Harris and Minister of Finance Jim Flaherty. I'm confident that the government, by remaining committed to a proven plan, will continue to foster a strong and diverse resilient economy.

I have two or three more points. I just wanted to refer to today's Toronto Star, which speaks to "Sharp Rate Cut Surprises Analysts." That's the 0.75 points in the rate cut to a 31-year low. This means that money for consumers and their credit will be cheaper. It is a direct stimulus. As



David Dodge, the Bank of Canada governor, has said, it's the most direct stimulus to the economy.

I would also like to point out from the same paper that it says that our federal finance minister, Mr Martin, says, "The federal government is not planning to remove the GST from new vehicle sales—despite growing support for the idea in some quarters.

"In a letter to auto dealers released yesterday, Martin said the Liberal government is focused on cutting"—listen to this—"personal income taxes by \$100 billion over five years to stimulate the economy, not on selective GST"—or other—"cuts."

Mr Speaker, I put to you that every point in the GDP will cost this government some \$500 million in lost revenue. As we see the GDP slipping from the 5% range down to what is reported now in the 1% to 2% range, we see there is a revenue challenge. This government is the right government to make the right decisions to look after the people of this province, as we've done. The track record speaks for itself.

I think Mr Hampton has to speak to the issue of expenditures and how they intend to address the loss of revenue and the demand on expenditures.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate on the motion and follow up on the comments of the member for Durham.

We do have a significant problem in Ontario. In the last four months—and this was before the September 11 tragedy—Ontario had lost 26,000 jobs. The rest of Canada, by the way, in the same period of time had been gaining jobs. The Toronto Dominion Bank has come out with its economic forecast showing that Ontario is going to have the worst performance of any province in the country in both this year and next year.

The member from Durham quite rightly pointed out to us—and he would know because he's the parliamentary assistant to the Minister of Finance—that the government is now running into a revenue problem, as he acknowledged with the significant drop in the gross domestic product. He pointed out that for every 1% drop of the gross domestic product, there's at least \$500 million of forgone revenue.

So we have a significant revenue problem in the province of Ontario, according to the parliamentary assistant, and I agree with that. We have a significant problem in Ontario's economy. I think every economist that you talk to would say—and I don't think you can find an economist who would not agree with this statement—the single biggest reason for Ontario's economic growth in the past five years has been exports to the United States, no question about it. We've said often that exports have gone from roughly the equivalent of 29% of our gross domestic product 10 years ago; it's now 55%. Nobody in the world relies on exports like Ontario does.

So we had a significant problem in the province of Ontario before September 11, made, all of us would acknowledge, far, far worse as a result of September 11. So what do we do? That's the challenge for us.

I would argue that this lack of confidence is quite a different sense of lack of confidence than we've seen before in economic slowdowns. I believe people are fundamentally worried about the future now. Certainly in the US they have some significant worries about health, because of anthrax and other things and terrorists. That's spilling over into Canada.

So the solutions of the past, in our opinion, aren't going to be the solutions of the future. The NDP have chosen to adopt essentially the Harris solution, that the solution to every problem is that we're going to cut taxes. That's what Mike Harris has been saying for years, and now the NDP have said, "Yeah, we embrace that. We believe the solution now is simply to cut taxes."

*Interjection.*

**The Acting Speaker:** The member for Trinity-Spadina, come to order.

1640

**Mr Phillips:** I would argue that they are prepared, as Mr Hampton said, to forgo \$1.5 billion of revenue to have a cut, not to eliminate the provincial sales tax, but to cut it from 8% to 3% for three months.

I would argue that those simplistic solutions that have been offered by Harris and now embraced by Mr Hampton are not going to be the solutions that will see Ontario out of this economic slowdown and this sense of lack of confidence. I think it's far more fundamental than that.

Frankly, I would urge the NDP to look at the proposals my leader, Dalton McGuinty, has laid out over the last few days. What he said is the start of a solution, a sense-of-security plan. The first thing he said was there is roughly \$1.2 billion of SuperBuild plans that have yet to be announced. My leader has said it is time to move on those. This does not represent extra spending by the taxpayers; it is ensuring that they move forward. A key part of that is \$100 million for an essential security plan.

Today, as you know, we see a new structure at the back door, a significant expense that we are incurring to ensure that security here in this Legislature is maintained. Municipalities across this province are going to face that. My leader outlined a \$100-million plan to help municipalities deal with that. I would argue that that expenditure will do more to help consumer confidence than \$1.5 billion, the Hampton approach.

My leader yesterday urged the government to proceed with something we've been urging for some time. We have a significant challenge in our hospitals with overcrowding. We proposed many months ago that the government proceed to open 1,600 hospital beds. Our hospitals are extremely crowded now and will be in the future, as we have an aging population. Furthermore, for a sense of confidence in people that we can deal with a potential emergency, that would help significantly.

We have the busiest international crossing—certainly in North America, maybe in the world—at Windsor. Yet, as my leader pointed out, there are 14 traffic lights between Montreal and Florida on the throughways that carry most of our commerce; they're all in Windsor. Why is that? Because when you arrive on the 401 in Windsor,

you suddenly get to a local road that takes the traffic to the bridge. Dalton McGuinty urged the need to fix that thoroughway.

I would argue that the solution we have before us today in terms of restoring confidence does not get at the root concern of people. People are worried about their security. They're worried about ensuring that their provincial government, their municipal governments and their federal government have taken the steps necessary to ensure that we've done whatever we can to make sure our communities are safe and secure. I would argue that part of that is ensuring that the finances are available to sustain our health care system, our education system and our community services.

Again, the proposals that we've put forward are not incremental spending; they are rearranging priorities. But rather than forgo at least \$1.5 billion in I think desperately needed money, we're going to see in the next—we will have an economic statement on November 6, now less than two weeks away. It will be interesting. I think the Minister of Finance has a challenging job. Do you spell out the problems, just as the leadership race gets underway, or do you announce a few of the problems on November 6 and hope you can hide the rest until after the leadership race is over and the budget is presented in April?

In any event, I accept the professional advice of the economists who tell us Ontario has a significant problem, and a bigger problem than the rest of the provinces. So we must be wrestling with solutions. The NDP has chosen to adopt the Harris solution: a tax cut will fix everything. I think this problem is going to be more fundamental than that.

I would comment on the member for Durham's comments as well. The government has announced in its budget that we are going to have corporate taxes in the province of Ontario 25% lower than the US. If you look, Mr Speaker, as I know you have, at the documents the government produces—this is the government document "Here's Where You Should Be Doing Business." It is the document used to sell businesses on why they should locate in Ontario. As you read this, it points out that Ontario already has competitive taxes. My leader has spoken often: we are totally supportive of ensuring that Ontario has a competitive tax environment. But why would we want to compete on the basis of taxes 25% lower than the US?

I might add, when you look at this document, it points out that because of the way we fund health care in the province of Ontario—it says, "US manufacturers pay on average more than \$3,100 per employee for the kind of health care coverage provided by Canada's publicly supported system. In Ontario the cost is \$540"—there is, in other words, a \$2,600-per-employee cost advantage on health care alone. It points out in another part here that Canada has a 7.8% business cost advantage over the United States across eight industrial sectors. The point of raising that is that already, because of the way we fund our health care system—and it's funded because we

collectively have decided that through our taxes we are going to heavily insure ourselves—there's a huge advantage to companies operating in Canada and Ontario. But we've decided that we can also have taxes 25% lower than the US. I don't think that's sustainable. If you look at the reasons why people should come and invest in Ontario, it is the quality of our education system, a higher percentage of young people who have taken post-secondary education than any jurisdiction in North America; it is because of the quality of our publicly funded health care system, with a \$2,600-per-employee cost advantage. It talks about the quality of our water. It is all about those things that we've chosen to make sure that we invest in in the province of Ontario.

So I say to us, as we debate this resolution at a time when people are, like I've never seen before, apprehensive about the future, it is a solution locked in the past. You can save 3% on your sales tax for three months at Christmas and that's going to solve the problems of our economy. I think you're going to find Christmas sales starting probably in November, because we are going to have a challenging time at Christmas. But it's far more related, in my opinion, to the fundamental concerns. What I believe governments could best do for the people of this province is to provide the kind of reassurance that, first, we can sustain our health care and our education and our community services. That's why we've argued all along that committing ourselves in legislation to corporate taxes 25% below the US—where do we find the money to at the same time have corporate taxes 25% lower than the US but also say to every company in the province of Ontario, "Your health costs are going to be \$2,600 per employee less than the US"? There's no magic to this stuff. It is all about finding the resources.

I go back to the plans that my leader has announced over the past few days to try and provide a sense of security to Ontario. I would argue that those sorts of plans that he's announced—and more will come—will do more toward ensuring that our infrastructure investments in fact do take place.

**1650**

I would add that it was a year and a half ago the government first announced the SuperBuild millennium partnership fund, \$1 billion. Guess what? So far they've spent \$4 million of that. My leader has pointed out that we should be moving forward with those, taking \$100 million of that in the Ontario security fund, money that's already budgeted, and ensuring that our municipal partners and the province are investing properly in security, the hospital bed program and helping to ensure that our exports can be expedited to the US. Through this period of time, we must make sure that all the possible barriers are eliminated for our export industry.

I think we face serious revenue problems, confirmed today. I was glad to hear Mr O'Toole, the member for Durham, acknowledge, because he would know better than most of us, that we are starting to see a significant revenue problem. What will undermine consumer confi-



dence more than anything is that we don't invest properly in the necessary security measures; that we find over the next few months we have to cut our health care and our community services and our education significantly. That will do more than anything else to undermine consumer confidence.

As we look at a 3% cut in provincial sales tax for three months, at least a \$1.5-billion cost in forgone revenue, and balance that versus other things that could be done to build a sense of security and confidence, my leader has spelled out what I think we should be doing to build that sense of confidence.

**Mr Tony Martin (Sault Ste Marie):** I appreciate the opportunity to speak on this very important resolution, particularly at this point in our history as we face a recession coming at us that we've known about for quite some time, exacerbated, of course, by the events of September 11.

I want to say first of all how disappointed I am that the Liberals aren't supporting this resolution and the way that it was painted by the previous speaker as somehow not fitting within a larger plan that will get this province out of a very difficult jam, created primarily by the initiatives and programs of this government, but in keeping with an agenda that we've on many, many occasions over the last five or six years in this place challenged and suggested needed some fundamental and radical change.

The Liberals speak of the need to get this government to move on spending the money that has been put into the SuperBuild fund. That's not new. We've been saying that here for about three or four weeks now, since we came back from the summer. That's all part of a larger package that we've rolled out that would stimulate the economy of this province and give people some hope, encourage them to continue to spend and to keep the economy going as we work our way through these very difficult times.

The sales tax proposal that's on the table here this afternoon is by no means the be-all and the end-all. It's a short-term, one-time initiative that we feel would give the consumers of this province some relief. As our leader said earlier this afternoon, a huge percentage of the economic activity of this province is in the area of consumer spending, and we need to focus on that. As a matter of fact, it shouldn't come as a big surprise to a whole lot of people across this province that we would be proposing a sales tax cut, because we've been on the record for quite a number of years now as supporting the reduction of sales tax and the reduction of the GST in this province to help ordinary men and women out there who need some relief in terms of being able to buy the kinds of things they need for their day-to-day lives. We feel that to put that together with the very difficult challenge that we face today, give those folks the relief that they need to get them through this difficult time and, in turn, assist small business to keep them afloat when they need it most makes a whole lot of sense.

To put that together with a program of change in government, where government actually begins to take its job seriously and sees its role clearly where the

economy is concerned, challenge the government to spend the kind of money that we know it has socked away to roll out before the next provincial election right now under the aegis of the SuperBuild fund, so that communities across this province can be stimulated and given hope and encouraged in the way that kind of activity and spending always does, would be a very helpful thing to be doing. I challenge the Liberals to take another look at this and support us and move with us in this way to stimulate the economy and consumer spending.

I want to talk, for the few minutes I have here this afternoon, ever so briefly about the claim this government made when it came to power, that if it cut taxes and got government out of the way, the economy would get better and we would recession-proof the province, that we would never, ever see a recession in Ontario again. Well, all the indicators that we look at now, all the economists out there, the banking professionals, are saying that just hasn't happened. In fact, this government has put this province in a precariously sensitive and difficult position, and it didn't need to happen.

They said there was no choice, that there was no alternative, that they went out to the people, they consulted and they looked around the world for other things that people were doing, and that this was the best there was; that as a matter of fact, with this approach to the economy—to give ever more increasing income tax cuts to the rich, give corporate tax cuts to big corporations—they in turn would do the right thing always, invest that money in local economies, in small businesses so that the province would never again have to deal with a recession. I don't think there's anybody out there except a few loud people across the way who suggest that we're not—

*Interjections.*

**The Acting Speaker:** Order.

**Mr David Caplan (Don Valley East):** Throw him out.

**The Acting Speaker:** I don't need any advice, but I have about four on the list if you're interested. I will not have this yelling back and forth. The speaker deserves your attention, and I'm here to ensure that he gets it.

**Mr Martin:** If you want to look and are serious at looking at an alternative to what this government is doing, you don't have to look very far. You look at the clock, and our time is running out. You look at the record of our government when we were in power to know that when government takes leadership, when government invests in infrastructure, when government puts in place vehicles that communities can use to restructure companies in trouble and communities in trouble, you can make a difference. You look, for example, at countries in Europe, like Ireland, where government takes leadership, where government invests in infrastructure. Where government brings people together and gives the industry out there the support they need, you can have a good economy that is sustainable and has in it that which will take it into the future. You add that to some immediate and needed stimulus to an economy such as we're sug-

gesting here today, and I think you have a recipe for success.

I would ask the Liberals to reconsider their position and this government—because it lacks any other initiative, it seems, at this point in time—to support this as well.

1700

**Mr Joseph Spina (Brampton Centre):** I appreciate the opportunity to speak on the third party's motion today. I found it very interesting that my respected colleague the member from my original hometown, Sault Ste Marie, made his original comments. As always, I respect his comments. However, we do disagree. We've said that publicly and we've said it privately, but nevertheless I know that Tony does a lot of hard work for the constituents of Sault Ste Marie.

With respect to the member from Sault Ste Marie, I want to remind him that he said that as that government went into doing what it was doing, this was the best there was. The interesting thing is that in the 1995 election, as we were going into that campaign in the last days of the Bob Rae government, I remind the member that there were five provincial governments in Canada, of all three political stripes, that had already balanced their budgets. It wasn't just Ralph Klein of Alberta; it was also Roy Romanow of Saskatchewan, and it was also Manitoba and New Brunswick. These leaders chose to take good management control of their province. They controlled the spending. They were able to assist in tax revenues for their province and to balance their budgets. They went through the same recession Ontario did, but they were able to achieve it.

I also want to indicate to the member that we are very pleased your party and your leader have become born-again. After 1995 we were seen to be the only government and party that endorsed, promised and delivered on tax cuts. Many, and almost all, other governments began to follow that lead of tax cuts. But it wasn't just the retail sales tax that some jurisdictions promoted and that this party is promoting in today's motion; in fact, they were personal reductions.

I found it amazing that across this country, and federally and in other, US jurisdictions—and now, believe it or not, in the last three years, of all places to endorse cuts in taxes, I think of Italy, the country of my heritage, which went through 45 years of coalition governments. Tax cuts were tantamount to insurrection. You know what? They have in fact endorsed tax cuts. I would say that virtually every party, regardless of the stripe—I know that my honourable colleagues with the same heritage I have know and understand that most parties in the Italian government were essentially centrist at the best of times, but leftist almost all the time. They had to govern by coalition. The reality was that here they were embracing tax cuts as a matter of policy, as an incentive to stimulate the economy in that country.

Other European jurisdictions in the common market have endorsed tax cuts. It's wonderful to see that finally the honourable Minister of Finance in the federal govern-

ment has bought into this philosophy. I'm pleased that we now have a born-again NDP, with its leader, that says, "Tax cuts." However, we feel we have a comprehensive, more effective, more impactful economic plan. It isn't just the elimination of red tape and deficit reduction and greater efficiency in government. Clearly all of these elements have helped our plan work in Ontario. But it is the tax cuts that put the money into the people's pockets.

People put it in their pocket, and they spend it as they see fit. They can choose to invest it for future gains. People say, "That's not spending it," but you know what? It really is, because it puts money in the investment market. When you buy an RRSP or when you buy an education plan for your children's university, that's putting money into a different kind of product market.

They can spend it on the appliances, they can spend it on new cars, or on a night out with family and friends in a restaurant. Or they may choose to save it for a new home, maybe not today, maybe not tomorrow, but maybe this coming spring. I remember during the 1995 campaign and the 1999 campaign, but in particular in the 1995 campaign, when I talked to a man in a townhouse complex, and it wasn't an expensive, rich condominium type of place. I was explaining about our tax cut proposal plan and I said, "If you earn \$35,000 a year and you can take \$1,000 or \$1,200 home, you could go and buy a washer and a dryer. You could put a down payment on a car. You could buy various things." He looked at me and said, in his denim jeans, and the power saw on the sawhorse, in front of his house, "Hell, man, that's beer money." I said, "God bless you, my friend. You make the choice as to how you want to spend it. If it's beer money, good for you. If it's going to be a washer and a dryer, good for you." The clear impact is that the money goes into the pocket of the consuming public and we don't direct where the savings should be.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I requested the opportunity to speak to this resolution and I'm certainly pleased to join the debate. I want to say at the outset that I don't support the resolution and I want to take a few minutes to explain why.

In many ways this debate provides an opportunity to rethink and restate some core beliefs, even some fundamental principles, about government. I believe in government. Although I believe we should only have the government that we need, I believe we must insist on all the government we require. Those kids needing special education assistance and the seniors who come into my office all the time with special needs have taught me that.

To me, government is about two things: how our values, those things we hold to be self-evident, end up getting reflected in public policy; and how we make decisions about the distribution of goods, services and opportunities in Ontario. I've thought for a long time that to whatever extent tax cuts make sense, those tax cuts ought to be targeted and there ought to be a trigger mechanism. I think that holds for both spending and the tax



side. I believe in prosperity. In fact, as one of the people in my riding said recently, no one would have remembered the good Samaritan if he hadn't had money. But what good are wealth and prosperity if they don't assist us in spotting and assisting the vulnerable, in guaranteeing that Ontario is once again a place to stand and a place to grow for everyone? Make no mistake, government is about choices and options, what we choose to embrace. I believe that if you want to have a voice at the table, you need to have something to say.

We've seen in recent years the use of different approaches. We've seen government, for some of the right reasons, naively try to spend themselves out of a recession. In so doing, they placed our economy at risk. To the relief of many, the voters of Ontario cast their judgment on that approach. We've also seen a government that foolishly borrowed—yes, borrowed—money to finance massive tax cuts and, in so doing, allowed the provincial debt to skyrocket and core services to be put at risk. Different approaches, one very foolish and one extremely short-sighted: corporate giveaways versus self-serving political panhandling.

Let me be clear: I believe in government and I believe that government needs to be interventionist. But the kind of intervention we take is important. That intervention must be cogent, comprehensive, integrated and strategic. It should be consistent with a stated goal, and the way of achieving it must make sense. Frankly, I'm having a lot of difficulty understanding my NDP friends. Before we even get to the strategy, I'm having difficulty with the goal, this 3% cut in the provincial sales tax to engender consumer confidence and spending? My gosh. I'm going to save 3% on a new pair of shoes while Margaret still needs home care and Emily and Carleigh still need their special-education assistance.

1710

What's the goal? I didn't hear them say anything about small business. Is the goal to stimulate spending? Is the goal to drive down provincial revenue and, in so doing, further restrict this province's ability to respond to pressing needs?

I think we need to use good times and the wealth that's generated in good times to help us with the burden of the present or future difficult times. Let's take a snapshot of where we're at. Today many are telling us our economy is slowing; it may even be in difficulty. Some sectors are having more problems than others. We know that working families have some anxiety about their jobs. We know our economy is decidedly export-dependent, as my colleague indicated a few moments ago. We know that education and health care are in chaos; vulnerable kids and seniors not getting the help they require.

This isn't rocket science; it's about revenues, expenditures and the balance between the two. If the cost of providing needed services escalates and our capacity to respond to hurting people is restricted, people suffer. There are too many Ontarians already suffering.

I want to describe in the moment or so I have left what a comprehensive, cogent, responsible and integrated economic strategy might look like, building on the remarks of my colleague from Scarborough-Agincourt. It would involve a shared sense of purpose, finding new money through transfer payments, not walking away from the table with the federal government around things like home care and health care. It would involve perhaps an increase in the Ontario disability allowance program, rescinding the \$2.2 billion in corporate tax cuts, in order to find the money for the educational assistance we need and the environmental vigilance we should be using. It would be shoring up supports for our export-dependent economy, assisting municipalities with funding emergency measures and, yes, accelerating capital expenditures that are planned—and perhaps, if we have some space left over, some sectoral sales-tax-targeted relief, and also our infrastructure and water projects.

We would offer those up on this side of the House as that responsible, integrated, comprehensive program that we believe the people of Ontario would have us embrace.

**Ms Shelley Martel (Nickel Belt):** I'm pleased to participate in this debate, and of course I support the resolution.

Let me begin by looking at the current economic situation in the province. Here we go: May to August, 17,000 jobs lost; September, another 9,000 jobs lost. Canadian auto production down 15% in the first three quarters of this year. The restaurant sector has already said publicly this is the worst year for them in the last decade; they can expect staff, cooks, soon to be laid off.

RBC Financial Group, in its autumn 2001 economic and financial market outlook, said the following: "Given a relatively heavy reliance on the US consumer in Ontario and Quebec, the near term will be tough for those two provinces."

TD Economics, October 12, 2000, Report on Canadian Government Finances, said, "The Ontario economy, which sends about 95% of its exports to the US, is being hard hit this year by the US economic downturn."

The HRDC report for August had 9.5% unemployment in Sudbury, the highest in two years.

We've got a crisis on our hands, and we've got this finance minister, "Jim Nero," fiddling while Ontario burns. And the Liberals are going to join him, because anything they've said here this afternoon shows they have no plan for anything.

The government response to this situation is to trot out, one more time, its corporate tax cut; in fact, they're going to accelerate the corporate tax cut. We're going to give \$2.5 billion to the corporate sector and none of that will do a single thing to stimulate consumer confidence, not one thing. In fact, we're going to give a gift of corporate tax cuts to the same companies that are now busy laying off workers. This government is going to reward Ontario companies with a big tax cut.

My leader mentioned the case today of BCE, which is going to get about \$22 million back from the tax cut, and it just laid off 150 people, most of them in northern

Ontario, at CTV. Isn't that nice: layoffs, and people will give you a big corporate tax break.

The parliamentary assistant said he was worried about where the New Democrats were going to get the \$1.5 billion to support our initiative. I'm worried about the \$2.5 billion that he's giving away, that his government is giving away, that won't do a single thing to stimulate consumer confidence and is rewarding the very employers who are now laying off people. In fact, the corporate tax cut was such a good idea, Nortel announced the day after the government made its announcement that it's going to lay off another 20,000 people. That's how wonderful the tax cut is in terms of responding.

The Liberals came here today and have nothing to say. They're talking today about how concerned they are about having money to do something about health care and education. This is the same group, I remind you, who said in 1999, when Dalton McGuinty was asked by the media if he would reverse the income tax scheme and recoup \$1.5 billion, "No, of course we're not going to reverse the income tax scheme; it's money that's already gone out the door," even though most of it went to the wealthiest people in Ontario.

I say shame on you guys. Where have you been? You are the same guys who want to keep the income tax scheme that gives about 34% of all those proceeds back to the richest 10% in the province. Where is that money going to come from when we need it?

Our plan is this: our plan is to cut the PST on all goods and services by 3% for three months and to completely exempt restaurant meals, winter clothing and school supplies. That would get people into the restaurants, into the tourism sector, into the shopping malls in the retail sector. What we know now is that people aren't spending money. They're so terrified about what's going to happen, they're saving their money. We've got consumer confidence going down the toilet, and neither the Liberals nor the Tories have a plan to address that. Our proposal would get people back in and save those jobs. I firmly believe that we would recoup a lot of that money because of increased sales in those sectors.

Let me just say in closing that I know there are lots of people who are interested in this proposal because they know neither the Liberals nor the Tories have proposed a single thing to deal with their sagging consumer confidence and the job loss, now at 26,000 in the month of September. Anyone who is interested in our proposal, I encourage you to call the following number: 416-325-8300. Get our petitions that say, "I agree with the sales tax vacation that you have proposed. Eliminate the 8% provincial sales tax on winter clothes and school supplies for three months. Reduce the PST to 5% on all other goods for the next three months." This is a proposal that will work in Ontario now.

**Mr Doug Galt (Northumberland):** I'm just so enthused with this last speaker, from Nickel Belt. Hallelujah, it's just so great. Mike Harris came out with the idea, the first taxfighter, really, in the world. He sold it not only to Ontario, he sold it to other provinces, he sold

it to other states and he sold it to other countries. Over and above that, he sold it to the New Democratic Party, in particular to the member from Nickel Belt. Hallelujah, I think it's just so great that she is convinced and sold on it. I think back to 1991, 1992, 1993. She talks about a crisis today. We were in a crisis from 1990 to 1995 that she was helping to create by increasing taxes. Where was she at that time? Where were the rest of her colleagues, the Floyd Laughrens of the world and her fearless leader? I also wonder—the member from Scarborough-Agincourt was talking about a sense of security. The only sense of security there has been in Canada has come from Mike Harris in the last month or so. That's where the sense of security has come from as we've watched the cut to CSIS and to the armed forces. It's just so wonderful to have another taxfighter in the New Democratic Party here in Ontario.

Let's talk for a few minutes about some of the times when they weren't taxfighters. We'll go back to the Peterson era, 1988. You might call that the occupation of this province. They came in and raised the PST from 7% to 8%, and then in Brockville, back in that campaign in August of 1990, Peterson tried to cut it by 1% to save his bacon in that election campaign but it didn't work. Then of course we had the Rae government—we might call that the aberration—and this was a new assault on the hard-working taxpayers in Ontario. That's when we saw the spiral of tax revenues going down. It dropped by billions and billions of dollars because of their increases. 1720

We could first start talking about some of the gems, like the employer health tax, which cost some \$2 billion to the hard-working employers in this country, reducing jobs; the motor fuel taxes that were increased by both governments in 1988, 1989 and 1991; the commercial concentration tax that cost some \$115 million. How about the retail sales tax that was introduced on insurance premiums? Then they wanted to expand more and more retail sales taxes into other areas and they finally did succeed by including them on newspaper advertising inserts, concrete, asphalt mix and on sand and soil, and don't forget they even put it on gravel. That was the kind of greediness that was present in the NDP at that time.

Then, in 1993, they brought in the corporate minimum tax, costing some \$100 million a year, a penalty for doing business in Ontario. That's why businesses were heading south to greener pastures on the other side of the 49th parallel. Of course, it didn't get in, but they had a plan to raise the WCB premium by some 30%. No wonder that from 1990 to 1995, we had one of the poorest-performing economies in North America, and probably the world.

While they were planning more tax increases, Mr Harris was looking at the Common Sense Revolution. He dared to suggest you could balance a budget and pay down the debt. He dared to say they could create an economic climate that would create more jobs. He dared to say they could reduce the tax burden on businesses and private citizens, that cutting taxes would actually stimulate government revenue. That was the kind of plan that



was being put into place, a kind of plan that really worked.

We saw a promise in the CSR of some 725,000 net new jobs, when in fact right now we're at 827,100 net new jobs. In fact, Mike Harris, Premier of the province, kept his promise of a revolution in politics. Our party has been known as a party that does what it says it's going to do. It has been respected internationally, which I mentioned just a few minutes ago. The member from Brampton Centre referred to the budget in 2001 saving some 75,000 off the income tax rolls in Ontario. In total, we have 735,000 people in Ontario not paying provincial income tax who have to pay the federal income tax. That's how inconsiderate the federal Liberals are to the poor, low-income earners in Ontario and, as a matter of fact, right across Canada.

In the budget this year we committed to a further 20% cut in income tax that was in the latest platform we had in 1999. These are just some of the things that we working. As a matter of fact, Mike Harris was indeed right: when you cut taxes, it makes businesses more competitive, it means you create more jobs, it means that people have more money, it means that they spend more on taxable items and it also means that there are more people working and more people paying taxes. That's where the revenue comes from, some \$15 billion in stimulated increased revenue.

Where is it being spent? It's being spent on health. It's not coming from the federal government. They dropped from 18% down to 14% on a national average. That's pretty unfair. They don't believe in the Canada Health Act. We've increased spending on infrastructure and education. We've increased the natural areas protection program. We've increased spending for vulnerable citizens in our province. We've increased spending to prevent violence in Ontario. We're increasing spending for the children's aid societies by some \$8 million. We've invested some \$15 million to look at and help prevent youth prostitution.

Fighting taxes is just great, and it's great to hear that coming from Mr Hampton, leader of the third party. Hallelujah, they're now seeing the light. Clearly, our government has been a taxfighting government, and for that we've created jobs, we've reduced the burden on families and businesses, we've balanced our budget, we have begun the process of paying down the debt and we've invested in the core services the people of Ontario care about the most.

It's just so wonderful to hear the NDP coming through. If we could just have the Liberals in Ottawa and the Liberals on the other side of the House see the light and get on the same bandwagon, it would be marvellous. At least we have the NDP seeing the light. All I can say is hallelujah, we look forward to working with them and looking at more realistic tax cuts in the future.

**Mr Steve Peters (Elgin-Middlesex-London):** One of the sad things about this debate today and about what has happened with this initiative the NDP has put forward is that, if anything, I think this initiative has probably

caused a lot of hurt in the retail sector, because what this resolution today has done is given a false sense of hope out there that something like this is going to happen. We know, though, that this is not a responsible initiative that is being put forward.

We had an opportunity recently to meet with representatives from the automotive sector and one of the questions that was asked was, would a retail sales tax cut stimulate the purchasing of automobiles in this province? The answer was no. Even if you cut the retail sales tax on automobiles, the savings do not go into the purchaser's pocket. The true winners are the auto dealers. It's not going to do anything to stimulate the economy.

What I would like to see, as an example, is this government showing some leadership. We had the Minister of Agriculture talking about a made-in-Ontario safety net package. Let's see this government put its money where its mouth is and start supporting Ontario industries. I would dare to guess—I would hope I could be proved wrong—and I would hope that the Premier and every member of this cabinet on the other side is driving a made-in-Ontario car. I would certainly hope that.

I would hope that government entities like Hydro One, when they go out and purchase the new trucks they require for their services, are purchasing Ontario-made trucks, that they're supporting Sterling Trucks in St Thomas and Sterling Trucks in Chatham-Kent, because if we're not supporting what's built in our own backyard, we've got a really serious problem. We need to ensure that we are investing in and supporting the Ontario economy.

I think there is an onus that needs to be placed on the back of the Minister of Economic Development and Trade. We need to refocus and do everything we can not only to try and attract new business and industry into this province, but to do everything we can to help preserve jobs in this province. In a recent instance with Sterling Trucks, I commend the minister who took an active interest in that. We need to do everything we can to ensure that we keep these jobs here in Ontario, and that in turn is going to help stimulate the economy.

We also need to see the SuperBuild and OSTAR funding grants opened up. We know there are municipalities all across this province that have made applications to SuperBuild, either the millennium and culture grants or the OSTAR programs, and they're waiting and waiting. If you want to look for a way to help stimulate the economy and the local economies, start opening up these grant processes you've been holding back on for some reason. It's a terribly irresponsible thing for this government to do, to not start investing in the communities in this province. Why don't you do it?

Another area where I think we need to make some recognition is this whole corporate tax cut of \$2.2 billion being taken out of the economy. This is going to have a drastic effect. We're seeing this huge ripple effect, these changes. Let's take, for example, the tax cuts that industries in this province are seeing. I've got one example in my own riding right now, where an industry has seen a

\$1-million decrease in its property taxes. But it's a big pie, and if you make one piece of the pie a little smaller for somebody, you've got to add it someplace else.

Do you know where they've added it? Instead of the corporations paying the tax, there's a shift. We have seen an unprecedented shift of anywhere from 20% to 50% in the price of agricultural land. What that in turn does is that as you see the price of agricultural land rise and you use the multiplier effect municipalities use to calculate property taxes, it adds an increased burden on the rural communities in this province. What does that further do? It takes money out of the economy, because those farmers do not have the dollars to spend to purchase new equipment, to purchase new vehicles. So a shift in this government's attitude, shifting the burden from industry to everybody else, has a detrimental effect on the economy. That's a very serious problem that has happened.

1730

We've seen the plight of the agricultural community in this province. We've seen unprecedented weather situations and unprecedented subsidies being offered by the United States and the European Union. Our farmers are hurting in this province. I asked the Minister of Agriculture today, "When are the farmers of this province going to hear anything?" We didn't get an answer from the Minister of Agriculture. There are farmers who don't know how they're going to pay some of their bills. What we need is the Minister of Agriculture to show leadership, to stimulate and get these safety net programs going and in place so that they start to put dollars into the pockets of the farmers of this province. Those farmers are in turn going to put those dollars back into the local economy. I truly wish the government would look at some of the initiatives we have put forward. These are initiatives in speeding up the SuperBuild and the OSTAR grants, and increasing the security at our nuclear plants and our water plants. These are things that are going to help to stimulate the economy.

This initiative we've seen put forward today is short-sighted. It isn't going to have a great impact on stimulating the economy. There are other initiatives this government should have been looking at and could have been looking at, but they haven't because they've got this tunnel-vision attitude that they don't get rid of. The only people they want to help in this province are their big corporate friends and their big corporate donors. Those are dollars that are being taken out of the economy, dollars that would have been going to the workers in this province, dollars that would have been reinvested in the economy of this province. But they want to cut for their corporate friends.

We see other mismanagement of dollars in this province. I commend my colleague from Sarnia-Lambton for pointing out the mismanagement of the cabinet of this government, who have seen their salaries increase by 118%. Those are dollars that would have been better reinvested in the economy.

**Mr Rosario Marchese (Trinity-Spadina):** It's my pleasure to participate in this debate, of course. You

remember that Mike Harris on April 20 of the year 2000 said, "Let me say this: as long as the voters of Ontario don't make the same mistake they made in 1985 and 1990, there will not be a recession in this province." That was Mike Harris saying that. Imagine a man who was so smug and confident about his own ability and his premiership that he could say there will not be a recession in this province as long as he's in power. We have a recession, and it's deep, and a whole lot of people in Ontario are going to be hurt.

This government is bereft of any new ideas. All they have been talking about for six years has been, "Income tax cuts will stay the way of recession. A recession will not happen in this province." It's been happening while they have been giving billions and billions of dollars of your money, taxpayers, for corporate tax cuts and individual tax cuts that have gone to the very wealthy. These guys are very generous. The people who receive their generosity give a whole lot back. When they have the \$600 or \$700 fundraisers—like the Liberals who have equivalent fundraising events where you've got to pay 500, 600 or 700 bucks—they are mutually helping each other. The government gives your money away and the rich give it back so they can have rich election campaigns with your taxpayer money.

They are bereft of any new ideas. I say to you, taxpayers, that the status quo is not on any more. That little old pony is tired of driving this economy on these tax cuts as the saving of our Ontario economy. It isn't saving anybody any more; it's bringing our economy down.

What are the Liberals saying? The Liberals are saying, "What we need is not a PST cut; what we need is a SuperBuild fund,"—the one that is recommended by this government—"but speed it up." What the Liberals don't remember is that New Democrats spent more on capital and expenditures of the infrastructure kind, double what this government is putting in the SuperBuild. We were spending double the amount. It's not a new idea you Liberals are bringing forward. Good God, we were doing it when we were in government and spending more on capital projects, because we know that when the infrastructure is in place people are working and society benefits in the short and in the long run.

These are the Liberals who rail against income tax cuts in the same way we say it goes to their corporate friends, including the fact that it goes to their Liberal corporate friends. These are the ones who railed against them, still rail against them, but in the last election, what did the Liberals say? "We will not reverse, we will not roll back any income tax cuts." So where is all this money going? It's going to stay in place, and there will not be any money for all these programs that they want and that we want, because there is nowhere to get it except, "We want to speed up the SuperBuild fund." That's the brightest idea these Liberals have come up with. That's all they've got. They are so devoid of any ideas that they cannot be an alternative in this province. And this government is riding that little pony, that tired little pony, the income tax cuts. It's a failed policy idea.



PST cuts mean that people will be able to spend and save money. It will boost the economy by getting people to spend at a time when we want people to spend, and the income tax cut doesn't do that. It doesn't encourage people to spend. If people of Ontario agree with us, call us and let us know that you agree with us: 416-325-8310. Send these postcards in. Let the Liberals know what you think. Send them a message, but particularly send the government a message.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** What an eloquent speech by the member for Trinity-Spadina. I thought I would never hear one NDPer talk about the need to cut taxes to create jobs, but to think we have a whole pack of nine of them trying to cut taxes to create jobs. This is much like the post-war consensus we had with respect to social policy. It's the consensus of the new millennium. All of us now support tax cuts. We're just debating which tax cuts are best. I didn't expect my New Democrat socialist friends to do this.

In Nepean-Carleton, we strongly support tax cuts. The experience there is that tax cuts do create jobs. I support cutting the sales tax. I think it would be a great idea. But I think the better way to do it would be to cut capital taxes, to cut income taxes and to be able to cut corporate taxes, because tax cuts create jobs.

I listened very closely to my friend the member for Nickel Belt. In her argument, she said they could even recoup money with a tax cut. I never thought I'd hear a New Democrat like the member for Nickel Belt talk about supply-side economics. She actually is preaching the benefits. She's the Arthur Laffer of the NDP caucus. We were just tremendously pleased to see her endorsing tax cuts.

The tax cuts that this government has pursued have centred upon income tax. I know my friends opposite say that our tax cuts don't help low-income people, but let me address that directly.

**Mr Marchese:** Change the pony; get a horse.

**Hon Mr Baird:** The member for Trinity-Spadina should listen; he'll learn something.

The personal income tax cuts announced in our 2001 budget will remove an additional 75,000 people from the income tax rolls. To put this into perspective, this will increase to 395,000 the number of people who have been removed from the income tax rolls. Many of these people pay federal income tax but pay no provincial income tax, because Jean Chrétien and his federal cabinet colleagues like to whack people who don't pay provincial income tax. People in our government obviously have more compassion, if we use the opposition members' measure. It's important to point out, though, that with the income tax cuts, hundreds of thousands of people who paid income tax under the NDP and the Liberal governments have been taken right off the tax rolls, which I think is good news.

My NDP colleagues have been talking about sales tax cuts. Their finance critic, the member for Hamilton West,

was wondering if we would raise the deduction for meals in restaurants from \$4 to \$6. See, I'm listening.

1740

**Ms Marilyn Churley (Toronto-Danforth):** My restaurants like it.

**Hon Mr Baird:** The member for Broadview-Greenwood said that her restaurants like it. I looked into this. If we raised it from \$4 to \$6, that would be a 16-cent tax cut—16 cents. The people of Ontario are going to just run into a restaurant to get their 16-cent tax cut. That's not even a quarter. They complained that a further tax cut would only mean \$16 to a taxpayer. Their tax cut idea for restaurants would only save 16 cents. Maybe the people are different in Toronto than they are in Nepean or Stittsville or Osgoode or Manotick, but I don't think people are going to run into restaurants if they can save 16 cents. I just don't believe it.

Let me put in perspective this risky tax scheme that Howard Hampton and the NDP are putting forward. How much revenue do we get per month if we're to go from 8% to 5%? That would be costing us about \$448 million. What would this save? When the member for Trinity-Spadina goes to Morton's for dinner, he'd save \$6. Under the Hampton tax cut plan, if someone in Ontario wanted to buy a Mercedes SUV M320, how much would they save? They would save \$1,650. Buy a Mercedes, get a big NDP tax cut. That's what the NDP are now preaching.

But I'm going to continue. My colleague the member for Erie-Lincoln is always talking about tourism. Maybe this could generate tourism savings too. What would the savings be on a weekend for two at the Deerhurst Resort with two nights' accommodation and food? It would be \$20. Let's just say Howard Hampton brought the entire NDP caucus with him. They'd save \$180, which is quite remarkable.

I think the NDP's conversion to tax cuts and economic growth obviously comes from their experience in government. This is a conversion on the road to Damascus. It's step 1 in their 12-step plan. What did they do when they were in government from 1990 to 1995? What was their strategy when they inherited the Liberal recession? Their strategy was to raise taxes, their strategy was to increase regulation and their strategy most definitely was to increase debt. We saw the debt go from \$3 billion to \$11 billion under the NDP government.

On Child Care Worker Appreciation Day, how do the NDP want to celebrate Child Care Worker Appreciation Day? Do they have a resolution to debate on child care? Do they have a resolution to debate on the Early Years and on the National Children's Agenda? No. All the NDP is interested in is tax cuts. It's the U-turn of the NDP.

They are even having a positive effect on our friends in the trade union movement. I saw a news release from Canada NewsWire: "Canadian Auto Workers president urges Martin to suspend GST on new car sales." Even the union bosses now are supporting tax cuts, which is remarkable.

**Interjection:** He's a Liberal. Buzz is a Liberal.

**Hon Mr Baird:** Buzz is a Liberal, I'm told. I know he doesn't support Howard Hampton. If this tax cut campaign could actually bring Howard Hampton and Buzz Hargrove back together, maybe that's the start of something new for the trade union movement and for New Democrats across Ontario.

I'm going to vote against this resolution because I support the income tax, capital tax and corporate tax cuts that have been so instrumental in re-establishing hope, growth and opportunity in Ontario, and they are the best way to help ensure that we have the most bright and optimistic future to help those who are in search of work get the job and help those who have a job increase their take-home pay. But I welcome the New Democrats to the tax-cutting team. We all agree with the same thing; we just differ in how we do it.

**Mr Joseph Cordiano (York South-Weston):** Frankly, I'm very disappointed in the New Democratic Party, because this is a party that has a grand tradition of helping the underprivileged and the poor, and for this government to have an ally like the NDP now—you've bought into the tax-cutting mantra of this government. Frankly, I'm disappointed. You've had other ideas in the past that have worked, but it's a great disappointment to those of us who have seen the NDP over the years fight for the underprivileged and the poor. To buy into the mantra of tax cutting precisely at the wrong time—the timing couldn't be worse. This is a time when government needs to lead. To reinvigorate the economy, government must lead and show that it has confidence in the future. The way it can do that is by investing right now, in this business cycle, in health care, in education and, yes, in infrastructure spending. That has the greatest, most positive stimulative effect on the economy, bar none. Tax cuts come second. This is a time when, in the business cycle, government expenditures would help to kick-start the economy more than any other stimulus we could come up with.

The business cycle, particularly this business cycle that ran from the early 1990s until it ran its course at the end of the decade, was started, was precipitated by investment in capital equipment by the business sector. The business sector started this boom we've seen grace us for the last decade or so. That capital investment started south of the border, which then fuelled our export-driven economy.

Consumers have been holding the economy up for the past number of years. It's been a consumer-led economy. The government has, as a result of that, benefited in terms of surpluses. Now the consumer is withdrawing a little bit as a result of job losses and as a result of the fears that have been occurring since September 11. This is not the same kind of situation we've faced in the past. The right prescription right now is for the government to invest, to lead in terms of the economy. It's a time to invest in those areas we most critically need right now.

It's a big disappointment to me that this New Democratic Party just doesn't get it. If Bob Rae were here, I have to say he would be shocked that they would be

buying into this tax-cut mantra of this government. Furthermore, if you're going to cut taxes, you do it at a time when governments are running a surplus. I'll bet anything that the government is seeing a spiralling downward of revenues at this particular time. So we should be concerned that the government does not have sufficient revenues to fund an additional tax cut.

Now get this: this government proposes to cut corporate taxes, \$2.5 billion worth, and on top of that the NDP wants them to fund another \$1.5 billion in additional tax cuts. How irresponsible can you get at this time? This is precisely the wrong time to be cutting taxes in the economic cycle. It is a time for government to invest in essential services.

That's why we believe it would be appropriate for the government to bring forward the infrastructure projects it has on the books, an additional \$1.2 billion in the Super-Build fund that hasn't been spent. They are not spending that. We should be investing. Dalton McGuinty suggested we should be investing an additional \$100 million in enhancing security. This is appropriate spending. In addition to that, we should be spending additional dollars, \$175 million that was proposed by Dalton McGuinty, for additional emergency health services.

We cannot meet a health care crisis in this city of Toronto. We are operating at somewhere near 93% capacity with respect to our emergency care facilities. God forbid that an emergency should befall us. We will not have any capacity in those emergency rooms.

It is entirely irresponsible for us to forgo any revenue at this present time. What we should be doing is investing in those critical areas I've talked about: education, health care, and additional infrastructure spending. This is a time for government to lead, not to stand aside, not to take a back seat. It's a time for leadership. It's a time for this government to show that it has what it takes during a crisis to take us out of this recession. Of course they're not going to do that because they're proposing a \$2.5-billion corporate tax cut, which is incredibly irresponsible. On top of that, for the NDP to claim we can forgo another \$1.5 billion worth of revenue is also irresponsible at this time.

I say to the government members and I say to the NDP, this is precisely the wrong thing to do at this time in the business cycle. Government must lead. We must be showing confidence in the future for our public. The best way to do that is to show that we have the capability to invest in the future by investing in health care, by investing in education, by investing in further infrastructure projects. That would be the responsible thing for government to do right now and that would be the responsible thing for all parties in this House to support rather than additional tax cuts, which I hardly believe are the right thing.

**The Speaker (Hon Gary Carr):** Mr Hampton has moved opposition day motion number 1, that the Legislative Assembly calls on the provincial government to implement a temporary provincial sales tax holiday to provide immediate stimulus to Ontario's sagging



economy, to enhance consumer confidence and to create a progressive tax cut that would help working families at the cash register when they need it most.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1751 to 1801.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Churley, Marilyn  
Hampton, Howard  
Kormos, Peter

Marchese, Rosario  
Martel, Shelley

Martin, Tony  
Prue, Michael

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Beaubien, Marcel  
Bountrogianni, Marie  
Caplan, David  
Chudleigh, Ted  
Clement, Tony  
Coburn, Brian  
Colle, Mike  
Cordiano, Joseph  
Crozier, Bruce  
Cunningham, Dianne  
Curling, Alvin  
DeFaria, Carl  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim

Galt, Doug  
Gill, Raminder  
Gravelle, Michael  
Guzzo, Garry J.  
Hardeman, Ernie  
Harris, Michael D.  
Hastings, John  
Hudak, Tim  
Johns, Helen  
Johnson, Bert  
Kells, Morley  
Klees, Frank  
Lalonde, Jean-Marc  
Levac, David  
Martiniuk, Gerry  
Maves, Bart  
McMeekin, Ted  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Murdoch, Bill  
Mushinski, Marilyn

O'Toole, John  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Runciman, Robert W.  
Sampson, Rob  
Sergio, Mario  
Smitherman, George  
Snobelen, John  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**Clerk of the House (Mr Claude L. DesRosiers):** The eyes are 7; the nays are 66.

**The Speaker:** I declare the motion lost.

#### PRIVATE MEMBER'S RESOLUTION

**The Speaker (Hon Gary Carr):** I've had an opportunity to consider the point of order raised in the submissions respecting private member's motion number 8 standing in the name of Mr Guzzo. I take seriously the very good point made by the House leader of the official opposition and will rule now in order to facilitate tomorrow's business of the House.

I'm sure it will come as no surprise to the House that this motion has caused me some concern since it first appeared on the Orders and Notices paper. While my attention was drawn to the motion in the first place because the Speaker figures significantly in it, there are a

number of other reasons for my reservations as to its orderliness.

Let me be clear at this point: the Speaker makes a decision on these matters based on procedural considerations. There are ample precedents here and elsewhere referring to the inability and indeed the undesirability of a Speaker ruling on legal or constitutional issues. What is before the House today is, as the member for St Paul's has said, the orderliness of the motion itself, and not the legality.

I also want to address the point raised by the House leader of the official opposition with respect to the fact that the motion remains on the Orders and Notices paper when others were recently removed. Members should be aware that the private members' notices of motion recently stricken from the Orders and Notices paper were stricken in response to a ruling specific to preambles and recitals. It was in that context only that the motions were reviewed. As I have said, this motion even at the time caused me some concern, but in the absence of a point of order being raised, I was inclined to do as the member for London West suggested I should do, which was to exercise discretion in favour of leaving it on until the motion was moved. However, a point of order having now been raised, I'm required to render an explicit decision, which necessitates closer scrutiny of the motion.

I want to start by saying a few words about the nature of private members' motions. As members well know, private members' motions are typically framed so that if and when they carry, they constitute expressions of the opinion of the House; in other words, they are said to be non-binding. This same principle has been applied on several occasions during the time allocated to consideration of private members' public business when the Speaker has declined requests for unanimous consent to give third reading to a bill or to alter some later proceeding of the House. When members are meeting for the purpose of considering private members' business, they cannot bind the House to a final decision on a matter. Were it to be otherwise, a government could easily take advantage of its majority and a time-limited private members' debate to pass motions which could, for example, amend the standing orders. This is clearly not the intended purpose of private members' public business.

There are certain restrictions on the form of private members' motions. It is true, as the member for St Paul's asserts, that the restrictions are limited and should be carefully applied, but I believe that this motion crosses that restricted line. Let me be clear: the restrictions I speak of refer to form, not content. The motion standing in the name of Mr Guzzo, should it carry, would bind the Speaker to a certain course of action. I would find the motion less objectionable if it were worded in such a way as to be merely an expression of opinion and not an order of the House.

This leads me to my second concern, which focuses on the terms of the motion itself, and specifically the direc-

tion it gives to the Speaker. The Speaker's role and responsibility can be divided into three categories. First, the Speaker presides over this House and decides on procedural matters; second, the Speaker is responsible for the administration of the Office of the Assembly; and third, the Speaker has an official role as a representative of the Legislative Assembly. The motion in question seeks to have the Speaker do that which is outside the traditions and boundaries which constitute the role and responsibility of the office. It is a motion that attempts to direct the Speaker to do that which is beyond the scope of his authority, and for that reason it is a motion that could not be perfected.

The member for Niagara Centre suggested that somehow the Speaker has a lesser obligation to comply with the terms of a motion than he would a statute. I beg to differ. As Speaker, I am honour-bound to respond to the directives given to me by this House. The standing orders are determined by motion of this House, they are not created by legislation, but a Speaker has no authority, nor has he the right, to ignore them.

Finally, I have reservations about the part of the motion that deals with the funding for this inquiry. Members will know that standing order 56 prohibits private members from moving any motion, the passage of which would have the effect of causing a direct expenditure from the consolidated revenue fund. It is my opinion that the motion in question contravenes standing order 56.

The numerous concerns that I have outlined are enough, collectively, for me to determine without hesitation that this motion is out of order, and I am directing that it be stricken from the Orders and Notices paper. That said, I do note that the member for Ottawa West-Nepean has a bill on this same subject standing in his name on the Orders and Notices paper, and since the notice provisions have been met, he may, if he so wishes, move second reading of that bill during the time allocated for consideration of his ballot item tomorrow morning.

I want to thank all of the members for their participation and their guidance on the point of order.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** On a point of order, Mr Speaker: I just wish to make one point abundantly clear: I wish I had been here this afternoon when this matter was debated. I apologize for that. But I want you to understand that I had absolutely no notice that my government was going to take this action, none whatsoever. If I had, I certainly would have been here. I thank you for your ruling.

1810

**The Speaker:** I thank the member. As you know, it is in the course of action that we try to—by all means too, if members have to leave, the vote is over. You can leave if you do have something else.

We do try to do it when the member is here. Unfortunately, with the timelines and with your not being here, we had to proceed without you. I usually don't like to do that, and in this instance unfortunately the circumstances were such that we had to.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: The appearance would be that Mr Guzzo was bushwhacked. I would respectfully ask that the Speaker establish either some guidelines or some direction.

I understand how issues arise at the moment, where points of order are very relevant at the moment. On a matter like this, where clearly the government and the Ministry of the Attorney General had prepared the point of order and presented it on a matter that was before the House for a considerable period of time, I think it would be appropriate for the Speaker to provide advisory guidelines at least that those sorts of points of order shouldn't be designed to bushwhack an individual member, as the Attorney General and the government bushwhacked Mr Guzzo today, or quite frankly any other member.

I would be pleased to comply with some sort of advisory guideline, recognizing of course the need, as is more often the case, to rise on points of order because things are happening right then and there. But I think we have a scenario here that was proceeded with in a way far from appropriate by the government, and I ask that the Speaker make some suggestions or provide some advisory guidelines in that regard.

**The Speaker:** That's a good suggestion. I thank the member for that point of order.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I want to express to the member for Ottawa West-Nepean that the official opposition was not informed of this until moments before the Attorney General got up on his point of order. It makes it very difficult for us to respond to you in the sense of—

**Hon Chris Stockwell (Minister of Labour):** Do you keep us advised of your points of order?

**Mr Duncan:** But the decision is not taken two hours later, with all due respect to the Minister of Labour. Your own member, one of your colleagues, has chastised your government for jamming this down our throats. I expressed this point of view to the government House leader. She in turn expressed a concern about the nature of the process. But, Mr Speaker, it is decidedly unfair to the member for Ottawa West-Nepean and decidedly unfair to the opposition, and frankly a number of members of the government side, that there was no notice.

We have on many occasions agreed to waive notice provisions to allow things to happen, and at the very least a member should be afforded the courtesy to be here to respond. The opposition, sir, if we are to provide input into this, ought to have the ability to respond to you in a timely fashion. I don't believe that there was urgency here, save and except that it was left to the last minute, and one could easily conjecture that that was done deliberately.

**Hon Janet Ecker (Minister of Education, Government House Leader):** With all due respect to the honourable members, I appreciate that they feel they didn't get notice, but let me be very clear here: this is an issue that has provoked great discussion among your caucuses,



among our caucus, and there has been a great deal of deliberation given to this particular resolution. Many members share the goal and the concern of the honourable member who brought it forward of making sure that children are protected. There has been a great deal of discussion about this. At the end of that discussion, the Attorney General is charged with certain responsibilities. It was his view that he advised the government of that view, as is his job. The Attorney General wanted to put this forward because in his view, as the Attorney General here, this was important to put forward.

The reason for the urgency, Mr Speaker, was that if we did not provide this House, this Speaker, with some time to deliberate, knowing that this thing was going to be there tomorrow morning—we did a courtesy by putting this forward as soon as the Attorney General felt, in his professional judgment, that he had to provide this advice. So as soon as this decision was made, I called the honourable member's office at about 25 after 1. I know the Attorney General called the honourable member's office. I came immediately here into the House to try to speak to the other two House leaders. We gave as much notice as we could.

I appreciate the concerns that are coming from the honourable member, but when the Attorney General advises the government of something, when the Attorney General feels in his responsibility that he must put something before the House, I think it behooves all of us here to pay attention to that. That indeed is what has happened, and the Speaker has ruled on the submissions. I would with great respect suggest that we have moved appropriately on this. We have endeavoured to keep everyone in the loop on this particular issue.

**Hon Mr Stockwell:** Mr Speaker, I really do appreciate the latitude you're offering the members in order to raise their points of order. I understand the difficulty you had in making the decision you've made.

I would say that if the House leader for the NDP has offered up some opportunity to create some protocol, I

think was his term, or some methodology in order to deal with points of order, I as a single member of this House am not opposed to anything along those lines. If we're talking about fair notice, fair provisions for standing up on points of order, standing up on points of privilege, that in fact there would be some notice provision given to all members in this House before that action is taken, I don't think you'd find many people on this side of the House opposed to that. In fact, I think the opposition may be opposed to it more than the government, because they do stand on points of order and points of privilege far more often than the government. But the action put forward by the government House leader and endorsed by the House leader for the opposition, I for one would say, sounds like a glorious idea. When we're going to allow provisions built into the standing orders that would force members on points of order and points of privilege to give fair notice to the other side, I'm in favour.

**The Speaker:** The final word to the member for London West.

**Mr Bob Wood (London West):** I'd like the Speaker, if he is prepared to do so, to consider this: the member for Ottawa West-Nepean is put in a position where he has nothing tomorrow other than the option of his bill. That flows from the fact that this point of order was raised the day before the matter is to be considered. I'd invite you to take a look and see what discretion you have to give him a slot perhaps sometime in November, where he could then determine what he wanted to put into that slot. At the moment you've offered him, I think properly so, one option. I think fairness tells us he should be offered something more than that. I don't know whether you have the discretion to do that, but I'd invite you to consider that and report to the House.

**The Speaker:** I thank all members for their constructive suggestions. It now being after 6 of the clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1817.*

*Evening meeting reported in volume B.*

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## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 24 October 2001

Mercredi 24 octobre 2001

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 24 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 24 octobre 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### VICTIM EMPOWERMENT ACT, 2001

#### LOI DE 2001 SUR L'HABILITATION DES VICTIMES

Resuming the debate adjourned on October 9, 2001, on the motion for second reading of Bill 60, An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act / *Projet de loi 60, Loi visant à accroître le rôle des victimes aux audiences de libération conditionnelle et à responsabiliser les délinquants à l'égard de leurs actes, prévoyant des normes relatives à la toilette des détenus et apportant d'autres modifications à la Loi sur le ministère des Services correctionnels.*

**The Acting Speaker (Mr Bert Johnson):** There is time left for the member for Thunder Bay-Atikokan. Do we have either questions or comments? No. Then it's further debate.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure to participate in the debate tonight on Bill 60, which is a government bill, a bill that was introduced in the last session but was not dealt with and has been reintroduced by this government as of May 28, the last session being a year ago and then it was lost. The former bill was lost when the government prorogued.

I want to say that I think what we should be doing here tonight in fact is not dealing with Bill 60, the government bill, but with a bill that was put forward by my colleague Peter Kormos in June 2000—first reading introduction was June 13, 2000—and that bill is called An Act to amend the Ministry of Correctional Services Act with respect to parole hearings and the disclosure of information by the Board of Parole to ensure greater fairness and broader access for victims, inmates and others.

I say we should be dealing with Mr Kormos's bill, who is the NDP justice critic, because it is my view in reading the two bills, his Bill 89 and the government's Bill 60, that Mr Kormos's bill goes much further in ensuring that victims can attend a parole hearing, goes much further in ensuring that members of the public can

attend at the same, that members of the media can attend at the same and that there is disclosure to the victim, in particular, of information with respect to the individual who is applying for parole and information related to the case as well.

What is clear to me in reading through the two pieces of legislation is that while the government bill provides for a lot of discretion for victims to appear at parole hearings, it does nothing in law to guarantee that the same may occur. In fact, the government bill doesn't go as far as the federal legislation in this same regard. I understand that at the federal level—I won't be referring to the law tonight, but that particular law already allows victims and members of the public access to federal parole hearings and copies of written decisions, and these are issued upon request. So we have a bill which the government, with its usual bit of rhetoric, has described as a bill to provide more justice to victims, I guess is the best way to describe it, when in fact the government bill is clearly lacking and falls far short of a federal bill of a similar nature and much shorter with respect to a bill that my own justice critic placed.

Let me deal first with the government bill with respect to victims because I gather that the minister responsible, when he introduced this act, made much to-do about the fact that at this point victims would be able to participate in parole hearings. What is interesting is that if you look at the government bill—and it's only two pages long—at page 1 under section 36.1, it actually says the following: "Victims within the meaning the Victims' Bill of Rights, 1995 and other victims of offences may participate in proceedings of the board," that being the parole board, "in accordance with the regulations."

#### 1850

Two key words there. The first one is "may," which does nothing to guarantee that in fact a victim will have access to a parole hearing, which is what the government claimed the bill would do when the minister debated this particular bill. The operative word is "may." There is no guarantee, there is no obligation, there is no responsibility of the parole board to ensure that a victim may be at a parole board proceeding and hear what is said, both by the criminal and by the parole board, with respect to early release. That clearly contradicts what the minister and what government members have said about this bill, that somehow it provides some guarantee. The operative word is "may" participate in proceedings.

The second problem we have is that whether or not a victim participates in those proceedings is entirely



dependent upon whatever is developed in the regulations, according to how participation might occur, for how long, who might be the victim in this case and what access to information they might be afforded. All of those issues, which clearly impact upon whether or not a victim can participate, are to be developed in the regulations. We all know that when important issues like that are developed in regs, none of the members of this assembly have any opportunity to participate in the development of the same, either to be in support, to disagree or to amend. The government, at a cabinet meeting, will bring forward these regulations, they'll be passed at a cabinet meeting, they will be gazetted, and that will be the beginning and the end of the debate. But there will be no opportunity for those important issues with respect to victim access to be actually dealt with here, and for the opposition members to put forward their point of view or potential amendments.

What is clear to me is that despite whatever the government has said, particularly the minister, about guaranteeing access to victims, giving them a right to appear at a parole hearing, nothing could be further from the truth. The government's bill clearly is discretionary. It says clearly that a victim or victims "may," not "shall," participate and then leaves it wide open in regulations as to what format will be developed, what standards, what procedures, for those victims to participate, if indeed they might be able to participate.

That's why I say I think we should work with the bill that was put forward by my colleague Mr Kormos, because the fact of the matter is that his bill actually does provide a guarantee that a victim or victims will be able to participate at parole hearings. In fact, it goes quite a bit further than that and says that members of the public generally and members of the media will also be able to participate at that same parole hearing. I think that's a really important point, because we can all point to any number of parole board decisions, some of them which, in hindsight, turned out to be not very good decisions. The problem the public has had is they have no idea what information was presented, no idea of the questions that were raised by board members, no idea of what the criminal said, and they can make no significant judgments about how decisions were arrived at with respect to that particular individual. I think there should be an opportunity for broad public scrutiny of these decisions, broad public scrutiny of what goes on now behind closed doors, essentially in secret, without any public input.

It's already clear that sentencing itself, as a process, is a very public process. It occurs in our judicial system. People are free to come and present themselves at court to hear what is said, to hear what the judgment is, to hear what the exchanges are between lawyers etc. Sentencing itself, as a part of the judicial process, is very, very public, and there seems to be, in my mind, no reason why a parole hearing shouldn't be a very public forum as well. I'm not saying it should be in court, but I'm certainly saying there should be broad public access by the media

and by interested members of the public in a community, for example, who might be afraid of someone who is going to be released or by the victims themselves, to what goes on at a parole board hearing.

Mr Kormos's bill in fact provided those kinds of guarantees for victims, for members of the media and for members of the public generally, that under this bill they would have access to that process in a very open way.

If I just refer to section 36.1 of his bill, he doesn't even strictly define "victim," which the government bill does. He leaves it open and says, "A person may apply in writing to the board for permission to attend a hearing relating to an inmate." That covers the waterfront in terms of who might apply and who can be permitted to attend. The restrictions with respect to attendance are only the following, and this is subsection (2):

"... the board shall permit the person to attend the hearing unless it," the board, "is satisfied that the person's presence,

"(a) individually or in combination with other persons who have applied for permission to attend the hearing, is likely to disrupt the hearing or adversely affect the board's ability to consider the matters before it;

"(b) is likely to adversely affect a person who has provided information to the board, including a victim, a member of a victim's family or a member of the inmate's family"—but again the operative words are "adversely affect";

"(c) is likely to adversely affect an appropriate balance between the person's or the public's interest in knowing about the hearing and the public's interest in the inmate's effective reintegration into society; or

"(d) is likely to adversely affect the security and good order of the place where the hearing is to be held."

So under any of those circumstances, the presence of the public is open. It is quite broad. It is not restrictive, as the government's bill is, because the government says specifically "victims of offences"—not the media, not the general public, not community members but victims themselves—as defined in a previous bill, the Victims' Bill of Rights, 1995.

So I am much more comfortable with the proposal that has been put forward by my colleague Mr Kormos, which does open up these proceedings to the public. I think that is in the public interest. I think there have been enough decisions made by parole boards that people have concerns with, that it would be, frankly, in all of our interests to deal with a piece of legislation that actually has those opportunities for the presence of that many people to participate. As I say, the government bill doesn't do that, which is why I think we really should be dealing with Bill 89.

Second, the government bill is absolutely silent with respect to any information that victims might be able to obtain or access; not only victims but members of the public as well. The government bill is completely silent on this issue. There is no reference whatsoever to any kind of information respecting the inmate that either the victim or victims may have, or members of the general

public or members of the media. Again, the dilemma we have is that there is a perception that there have been very bad decisions made, very horrendous decisions that have been made which have led to inmates being released and then having those same inmates commit other crimes. If we're going to give the public a sense of the judicial system, how it works and how these kinds of decisions are made, not only do members of the public need to have a right to appear at parole hearings, they also need to have a right to access some specific important information about some of these matters.

If I go back to Mr Kormos's bill, in section 36.3 he clearly outlined some of the information that could be released, specifically:

"(1) At the request of a victim of an offence committed by an inmate, the board shall disclose to the victim,

"(a) the inmate's name;

"(b) information to identify the offence of which the inmate was convicted and the court that convicted the inmate;

"(c) the length of the inmate's sentence and the date of its commencement; and

"(d) eligibility dates and review dates applicable to the inmate in respect of parole and temporary absences."

I suspect most victims would have a particular interest in that final provision: "eligibility dates and review dates applicable to the inmate in respect of parole and temporary absences."

As well, those things have to be provided; they shall be disclosed to the victim upon request. There is other information as well that the board has the discretion to provide. So under subsection 36.3(2), "At the request of a victim of an offence, the board may disclose to the victim, if in its opinion the victim's interest clearly ... outweighs any invasion of the inmate's privacy," and then it goes on to list probably seven other items that a victim could apply for and that the board could agree to disclose: the offender's age, the location of the correctional institution where the sentence is being served, the date of any board hearing related to the inmate, the date on which the inmate is to be released on parole or temporary absence, the inmate's route and destination when released on parole or on temporary absence, whether the inmate is in custody, and if not, why not, and finally, whether the inmate has appealed a decision of the board and the outcome of that appeal. So you have a situation where a great deal of information could, at the discretion of the board, be disclosed. Another whole set of information must be disclosed. But the government bill with respect to disclosure of any of this is completely silent, which leads me to assume that none of this information can be requested by a victim from the parole board.

1900

There's another section that refers to the board's written decision and that a copy of that must be made available if publicly asked for etc. We have a situation where the government has come forward and said they

want to do something for victims with respect to parole board hearings. They want to make these kinds of hearings accessible or open to victims of crime. I agree that's something we should do. I regret, however, that the government bill clearly doesn't do that, and it leaves people with a false impression that the government is giving victims in particular some rights which they do not have now. That is not the case. The government bill speaks only to victims appearing at parole board hearings where they "may" participate in proceedings, not "shall." The nature under which they participate or attend is left entirely to be developed in the regulations. We will not be able to have that debate here about those circumstances and how they unfold.

Second, the government, I suspect, very generally talked about the ability of the community and the public to have more access with respect to these important matters as well. Again I point out that the government bill speaks only to victims, that they may participate at board hearings under certain circumstances. It says nothing about the ability of other community members or the media to be involved, and it's certainly completely silent on the issue of other information with respect to the inmates that shall be disclosed and that the board also has the discretion to disclose.

I think the problem the government is going to have is that instead of actually opening up what has been a very closed process, a behind-closed-doors process, some would say a secretive process, certainly a process that doesn't bode for a positive opinion in the public mind, what the government offers doesn't buy us that at all, doesn't guarantee us that at all. I think that once people go down the road of actually trying to participate at a parole board hearing and find out that they cannot, they will quickly realize that the government has not given them any rights at all.

I say we would be much better served if we were here this evening debating Bill 89, which is a bill put forward by Mr Kormos, because many of those guarantees are actually set in his legislation. It's worth pointing out that the provincial bill doesn't even go as far as the federal law, a law which does ensure that members of the public and victims have access to parole hearings and copies of written decisions.

What worries me at the end of the day is that the government, as it has done two or three times already this session, purports to be doing something for victims when in fact they are not. It reminds me of probably the most glaring example of the government doing that when this government brought in its Victims' Bill of Rights on December 13, 1995. Speaker, you would recall that there was second reading debate on the bill, that was entitled Bill 23 at that time. I just want to go back and quote some of the things that the former Attorney General, Charles Harnick, said about that bill. This was the original Victims' Bill of Rights, which the government introduced with much fanfare and said very clearly would give victims any number of new sets of rights so they wouldn't be victimized twice.



The former Attorney General, Mr Harnick, said, "We introduced this bill for first reading but a couple of weeks ago and the basis upon which this was introduced was the fact that this government will not accept a system that allows victims of crime to suffer twice, first at the hands of the criminal and second under a justice system that does not respond to and respect victims' needs." Further, "This bill meets our commitments to Ontarians to bring forward a victims' bill of rights, something we promised during the last election campaign, and it'll bring, we believe, meaningful change to the way victims are treated in the criminal justice system."

Speaker, you and I both know that the first time this law was challenged, by two women from St Catharines, the ruling was very harsh against the government. In fact, Justice Gerald Day said in May 1999, in his ruling on the government's Victims' Bill of Rights, the following: "I conclude that the Legislature did not intend for ... the Victims' Bill of Rights to provide rights to the victims of crimes. The act is a statement of principle and social policy, beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime."

We know that after that most embarrassing disclosure for the government, the government has yet to bring forward a Victims' Bill of Rights, despite the promise that the Premier made in 1999 as a result of this most embarrassing situation, when clearly a judge in the province of Ontario condemned outright the meaningless act the government had brought forward, allegedly on behalf of victims.

So I say we could find ourselves with another situation where this bill does the same. It holds out a promise of something for victims; it holds out a promise that they will be able to participate in parole hearings, when in fact the first time the legislation is actually tested, they may well find they have no rights in this regard, because the language that appears in this short government bill is completely discretionary and provides no guarantee whatsoever that victims can participate in parole board hearings.

**The Acting Speaker:** Comments and questions?

**Mr Ted Chudleigh (Halton):** I was interested to listen to the speaker's comments as she talked about this act. She did a lot of comparisons between the member for Welland-Thorold's proposed legislation and this particular act. As we enter the hour when our competition is Vanna White, I thought it was interesting that the comparison was of some age. If my memory serves me, it was two years ago that Mr Kormos introduced his bill.

**Ms Martel:** June 13, 2000.

**Mr Chudleigh:** A year and a half ago. It was at about that time when we started talking about how best to serve the people in our correctional institutes. I think it's important that we remember that recidivism in Ontario is extremely high, and unless we start doing something to encourage these people to change their living habits—I don't think we are going to change their habits when they come out of jail, and 60% to 70% to 80% of them go

back into jail. That is a totally unacceptable number. We've got to provide them with some opportunity to change their lives, change their habits, change the way they live and the way they look at life in order to have any success in rehabilitating these people and making them a useful part of society again, which I think should be the goal of any correctional institute.

**Mr Steve Peters (Elgin-Middlesex-London):** I want to compliment the member from Nickel Belt for her presentation this evening. In her usual very thoughtful and well-researched way, I think she demonstrated a number of the positives that are in this bill, but also a number of the flaws that are in this legislation in front of us this evening.

I think it's important to recognize the report that was released in the year 2000, *A Voice for Victims*, by the Office for Victims of Crime. She made reference to that. Some of the issues we are dealing with in this legislation in front of us this evening have come out of that report.

But I think too we need to recognize that there are failings in this legislation. This is a government that prides itself and loves to prance around and say it's a law-and-order government. There are many other things and many other initiatives that need to be taken: in one case, this government has failed in responding to *A Voice for Victims*, in the fact that there hasn't been the establishment of a standard that would mean that all Ontarians would have access to an adequate level of victims' services.

One positive that I will say in this is the recognition of the work that our corrections staff does in these institutions. It's important that we do everything we can to support the corrections staff. That is a positive in the establishment of the zero tolerance policy toward any violence against our corrections staff, because we know that this corrections staff has been very much abandoned by this government. I compliment the member from Nickel Belt.

**1910**

**Mr Tony Martin (Sault Ste Marie):** I want to commend the member for Elgin-Middlesex-London for recognizing the fact that the member for Nickel Belt actually does present here on every occasion some very thoughtful and well-researched commentary on pieces of legislation before us. Again tonight she has taken at least three documents and compared them, and showed that in fact what we have here is a piece of legislation that is really duplicating other efforts and work done by people in this place.

Some of you will remember that we were here last week discussing another bill, about the proceeds of crime, which was a duplication of a bill that one of their own members put forward. So one has to ask the question, why are we doing this? Why is it every week now, it seems, we stand in our places here and debate bills, usually on crime and punishment, hot-button issues for this government, that in fact are simply a replication of work that somebody else has done? What is it that this government has against recognizing that other people,

even some of their own members, have done some excellent research work, putting together pieces of legislation that will in fact do the thing they are saying in the preambles and forewords of their bills, and just moving with them? I don't know that it takes away from the effort that they're trying to perform here or the support they're trying to give to victims of crime.

The only other conclusion I can come to is that the government has nothing else to do. I mean, the Premier has stepped down; he said he has done everything he came here to do and it's all over. So is this what we're to expect for the next however many months?

**Mr Doug Galt (Northumberland):** I was interested in the comments made by the member from Nickel Belt. I'm actually very surprised that she, along with other members of her caucus, wouldn't be enthusiastically supporting such a bill as this. This is about looking after victims. It's empowerment. As a socialist, I would think that would be a top priority, looking after victims. I'd hate to see them fall into the same category as the Liberals, of being soft on crime and hard on victims, but that's the impression I'm getting.

One of the number one priorities of our government has been public safety. For example, just a year or two ago we hired an extra thousand police officers to serve across this great province of Ontario. We've made significant moves in the Harris government to create safer communities. Our government is really about the support of victims.

For example, we've created a Victims' Bill of Rights; we've expanded some of the victims' programs; we're launching an Office for Victims of Crime. These are some of the things we've been doing, but it's interesting that this bill is also giving powers to those in corrections to monitor telephone calls. Sometimes the harassment doesn't stop just because they go to court and end up convicted and serving a term in jail. They still have a telephone that's there for the purpose of rehabilitation, but sometimes it's misused, and presently the corrections officers have no power to do anything about this. I think that's very unfortunate. This bill would indeed give them powers to monitor and even ban those kinds of conversations.

Just in closing, I'd like to quote from an MP from New Zealand saying, "Nobody can justify giving criminals the power to continue to harass people from within jail cells." I agree with that.

**The Acting Speaker:** The member for Nickel Belt has two minutes to respond.

**Ms Martel:** I appreciate the comments that were made by all members. Let me begin by saying the following: The reference to victims in this two-page bill is pretty scarce. The reference that I focused on, because it's really the only one, is a reference that says victims "may" attend at parole hearings, not "shall." To try and tell the public tonight that the government is guaranteeing that victims will have some kind of right to participate at parole hearings is absolutely false. There is not one

single new right being granted to victims under this two-page bill.

Secondly, I agree with the member from Haldimand-Norfolk-Brant: everyone wants to be sure that we can deal successfully with the rehabilitation of inmates and that we reduce the likelihood of inmates, when they come into the community, reoffending. The problem is the bill doesn't say anything about dealing with rehabilitation. The bill talks about ensuring that prisoners look proper—you know, have a proper haircut. It says absolutely nothing about concrete rehabilitation, whether that's anger management programs, drug and alcohol treatment programs—absolutely zero about what the government's going to do in concrete terms to make sure that when inmates go back into the community they are not a safety or security risk. This government has not brought forward any initiatives with respect to increasing funding for any of those programs since they've been the government, either. So let's not pretend or fool anyone tonight by saying this bill has something to do with rehabilitation. It just does not.

With respect to this government's dealings with victims, there will be a legacy. That legacy has to do with the Victims' Bill of Rights, which a justice in this province has already condemned. The government's Victims' Bill of Rights provided no rights to victims at all. It was completely meaningless. I think this government will wear that reality for a long time to come.

**The Acting Speaker:** Further debate.

**Mr Chudleigh:** An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act. Yes, it's two pages, but it's a mighty two pages, because I believe that it's going to accomplish a lot of what is said in the title of Bill 60. It's to give victims a greater role in parole hearings. This is something that has long been promised, talked about or thought about in Ontario.

Yes, it says that the victim "may" appear at the hearing. Certainly, some victims may choose not to. They may choose to put that phase of their life behind them and walk away from the terrible experiences, perhaps painful experiences, that they had at the scene of the crime when that actually happened. But if they wish to, they can appear at that hearing, and they will be given standing at that hearing and transportation to the hearing site. They will be provided for when they get there. Those are all things that are provided for within this bill.

The other part of the bill that I'd like to spend some time on tonight is the holding of offenders accountable for their actions, another very important part of talking about the correctional institutes of Ontario and how they respond to the needs of the people who are incarcerated in those places. I'd like to talk about that a little bit tonight as well. After all, making people responsible for their actions has been part and parcel of growing up in a society. It's only when people take on that responsibility for their actions that they truly achieve adulthood, self-



sufficiency and a standard that is acceptable to the majority of society.

A third part of this act is the further protection of staff in the correctional institutes. I might say that I have a correctional institute in the riding of Halton. We refer to it locally as the Milton Hilton. I believe it is the largest facility for prisoners in Canada at the current time. I saw the member from Kingston lift up his ears, but I believe this facility is larger than any single facility that you may have; although in your community, if you put them all together—

**Mr John Gerretsen (Kingston and the Islands):** We have seven.

**1920**

**Mr Chudleigh:** Seven—if you put the seven together, you might have a higher population than I would have. Of course yours are federally based; in Halton, they are all provincially based.

Let's talk about the Victim Empowerment Act for a minute, the overview of the legislation. The Ontario government is strengthening victims' rights and creating safer communities by implementing tighter regulations on inmates through the Victim Empowerment Act. The act is designed to empower and protect victims and to keep a closer watch on inmates and their activities.

Public safety is the top priority which brought this bill to its current place. The government of Ontario has taken steps to ensure that inmates don't compromise public safety in any way. This legislation, if passed, will be an important tool to help create safer communities, and that's a big issue in the riding of Halton. There's always concern that we are housing a large number of inmates in our community.

Over the course of a year, I get precious few telephone calls expressing concerns about some issue with inmates. We have very few escapes. We have extremely small interaction between the inmates in the correction institute and the public at large. By and large, most of that takes place in the interaction between the staff of the jails and the inmates. Most of the staff live within an easy commuting distance of the facility, so most of the contact with the community is through the staff.

The government has supported victims through all stages of the legal process. We created a Victims' Bill of Rights so they are present and have standing at a trial. We've expanded victims' programs to ensure that they get consultation when and where needed. We've made it easier to bring civil suits against offenders in order to recapture lost property or lost value for the victims. We are launching an Office for Victims of Crime staffed by crime victims and front-line justice professionals so that consultation process can continue throughout the period of incarceration or the trial or whichever phase it happens to be at. The proposed legislation, if passed, would also allow victims to participate in Ontario Board of Parole hearings.

It would also permit the government to implement technology to monitor and block, if necessary, inmate calls to third parties. It was a shock to me to find out that

inmates occasionally pick up the phone and call their victims and there was nothing being done in our jails to prevent this rather disgusting process from taking place. This bill will provide an avenue to stop that from taking place, because public safety is our top priority.

In speaking to victims and their families, we have learned that the effects of a crime do not necessarily end when the trial has ended. We know, for instance, where some offenders have harassed their victims through telephone calls, letters and mailings from jail as they await trial or as they are serving their sentences. Just because a person is behind bars doesn't mean they are beyond the arm of the law, certainly not. It's just plain wrong that they be allowed to harass victims or plot illegal activities while staying in the custody of the province of Ontario.

Currently, the Ministry of Correctional Services Act is silent on the issue of monitoring inmates' telephone access in provincial institutions. While phone call access is provided as a privilege to assist in offenders' rehabilitation and reintegration into the community, there is certainly no consistent way to regulate phone use or, more importantly, to regulate to whom inmates make phone calls. Under the proposed legislation, the ministry would implement regulations and policies that would allow correctional institutions to block and monitor, where necessary, offending telephone calls to third parties.

Calls to victims and persons suspected of planning criminal activities would be specifically targeted by this new technology. Third parties such as victims may request that telephone calls from inmates be blocked. The blocking of offender calls to victims would eliminate victims' potential exposure to further threats and abuse during custodial hearings. Blocking and monitoring of inmate telephone calls where necessary may also improve employee and inmate safety within the institution by reducing the incidence of contraband and other criminal activity that may be planned during telephone conversations.

This has taken place in other jurisdictions, such as New Zealand, which introduced new laws that would allow for this monitoring of offending telephone calls. The change came after it was discovered that some inmates were abusing their telephone privileges. A local MP in New Zealand has stated, "Nobody can justify giving criminals the power to continue to harass people from within jails."

There has been some concern expressed about the constitutionality of the monitoring of phone calls. The fact is that it is being done in other jurisdictions, both in Canada and the United States, which monitor telephone calls. Correctional Service of Canada does it. Saskatchewan, Manitoba and British Columbia all use telephone monitoring in the delivery of correctional services. I believe this will be a great boon to the ability of this government to maintain people in jail and to keep them out of harm's way, particularly those people who have been their victims in the past.

I'd like to mention just a few words about the grooming standards that we have introduced in this bill. There has been some comment made that these grooming standards aren't going to do a lot to improve an inmate's activities in jail. However, many of these people in our correctional institutions haven't had the opportunity to live a structured life, have never been exposed to the concept that for every action there is a reaction. So to take someone in a situation like this and introduce to them a structured way of life perhaps forms new habits, and as those habits form and become enshrined in that person's way of living, those kinds of things can carry over as they leave the facility and rejoin society. That carrying over may give them some structure, as they have learned in the correctional facility that there is a reaction for every action they take. If they fail to present themselves in an acceptable way—which may be important or may not be important—if that's the rule and they have to live by that rule, they get used to living by rules. As they re-enter society, society has all kinds of rules, and they may find it easier to follow the rules of society as opposed to their own whims, which may lead them into that cycle of recidivism that brings them back to the facility, which no one wants to see: it costs the taxpayers money to keep them there and they themselves are certainly not very happy there.

All of those things—learning a trade, learning a skill—will lead to a changed life and a changed way of conducting themselves as they move down life's road, and hopefully they can become a more productive part of society. I'm not saying that grooming standards by themselves are going to create all of that wonderful thing, but they are an intricate part of the kinds of things that people will have to get used to in a correctional institute and start changing their habits from within. Without that kind of activity, I don't think we're ever going to get to lowering our recidivism rates, which are unacceptably high in Ontario.

The other part of the bill which I think is very important is the one that protects staff. Guards in our correctional institutes are certainly some of the people in our society to whom we should be very grateful. They keep these people who are a danger to society incarcerated. Without their devoted help, without their skill, without their understanding of how these facilities work, society would be a much more difficult place to live in. Because this act is taking steps to give more protection to staff, allowing them to take more action against threats, against physical abuse that has no place in our society, people will learn that if they take these actions, they're going to lose the rights they have. They're going to lose the opportunity for parole. In the future, they're going to lose some of the things they have come to expect in these facilities.

Again, that will go a long way to changing some of the life habits these people have, as they haven't had the opportunity to live those structured lives up until the point they find themselves in jail. Moving down that road is an important part of trying to change those habits and

trying to get these people to understand that being a productive part of society is a far happier lifestyle than the one they've been leading. I'm very pleased to see this act coming in and I'll be very pleased to support it.

1930

**The Acting Speaker:** Comments and questions?

**Mr Mario Sergio (York West):** I'll just comment very briefly on the presentation by the member from Halton with respect to the content of the bill as it in front of us.

I think both sides of the House are looking at the interests of a victim of crime. One of the major things that's missing in the bill as we have it now is a province-wide standard to safeguard the rights of victims, and I think this would be important. This would be one area where we should be appeasing the people of Ontario when it comes to saying, "I am a victim of crime and what are my rights?" I think those rights, those entitlements, those standards, should be for all of the people of Ontario and not strictly for one particular area. If we were to make those necessary changes in the bill, it would be going a long way to assure the people of Ontario that indeed the government wants to make a bill that is much tougher and tighter and would bring the awareness of its content to all of the people of Ontario.

The bill deals with a number of minor things and most of those are already included in federal laws, especially when it comes to security of people in jail. What we're missing as well, and which the bill does not touch on, is the security that we offer to the general public, because we don't have enough trained officers where they are needed. This is a concern which has been expressed as well by our auditor, and so far we haven't seen the government take any action with respect to that particular recommendation.

These are just a very few areas where we have concern with the bill. Other areas are already included within federal law. I would say to the government, let's have a good look at it.

**Ms Martel:** I listened with interest to the comments that were made, specifically the comments with respect to what guarantees were provided to victims in this bill. The members certainly said that victims will be given standing, will be given rights and that the bill does all of these things. The problem is that the bill does not, and that's the point I've been trying to make. The bill very clearly says "may" participate in proceedings—that is, victims—but the circumstances under which victims participate, if they do, are all subject to regulation. We have absolutely no idea what the form and set-up is going to be to allow this to occur. Is it a single victim, a number of victims? Can they go for the whole duration? Are they allowed to ask questions? Will there be a guarantee that the government will provide them access to get there if they cannot do that on their own, especially if the parole board hearing is somewhere far from a community that they live in?

All of those issues are going to be developed in the regulations, where MPPs will have absolutely no ability



to participate, give input, give comment or make recommendations, oppose or agree with. It seems to me that if the government wants to very clearly say to victims, "You shall have an opportunity to participate," the government would be well advised to outline all that in the government's own bill and not leave that to the whims of whomever to be passed whenever by regulation.

I encourage the government again to go back and take a look at the bill that was put forward by my colleague Mr Kormos, because it actually does set out those kinds of circumstances. I think the government would be in a much better position to give concrete examples of who can participate, under what circumstance, when and why, to give assurance to the public, and to victims in particular, that they will really have an opportunity to participate.

**Mr Ernie Hardeman (Oxford):** It's a privilege and a pleasure to get up and commend the member from Halton for a very well-researched speech and presentation on Bill 60. Having reviewed the bill somewhat myself, I was pleasantly surprised as to some of the good things that are in it that I hadn't fully thought out. The members opposite were talking about how it's only a two-page bill, but the fact is that it does so much for victims, who will have the ability to be part of parole hearings and to make sure that their concerns are heard and their feelings are taken into consideration. It deals with the offenders who are in the institutions, to make sure we give them all the assistance we can in rehabilitating them and bringing them to a lifestyle where they can come back out into society and become productive members of society. It does a number of other things, such as providing more protection for our workers within the institutions, as they deal with offenders.

All those things are very important, and I just wanted to commend the member for the research he's done and the fact that he explained the bill so well for those who had not yet read the bill and will now understand the benefit it will bring to our society when, I'm sure, all the members of this Legislature support the bill and bring it to the law of this province.

**Mr Peters:** There is something this government could do to help out some victims and corrections officers in this province, and that would be to call a public inquiry into the events that took place at the Elgin-Middlesex Detention Centre in my riding in February 1996. This is a very serious issue. These are victims. You talk about victims here—we've got corrections officers who were true victims of this government and the Minister of Correctional Services.

I'd like to know who knew what when. There were individuals who were wrongfully fired, there were unfounded allegations, documents were shredded and telephone messages were erased. The minister has never accepted responsibility for that.

If you really, truly want to do something for victims of crime, why don't you expand this piece of legislation here and include in it the need for a public inquiry into what took place at the Elgin-Middlesex Detention

Centre? I think, as much as we've called for a public inquiry into what has taken place at Ipperwash and Walkerton, which you bent over and agreed to, this is a truly serious situation. The minister at the time, Minister Runciman, and his staff have abdicated any responsibility for what took place at the Elgin-Middlesex Detention Centre.

There are individuals who had to go through court, who lost their jobs and who have lost their seniority. These are true victims. If the government is so bent and determined to help victims and corrections officers—they are taking steps forward in this legislation, there are some positive steps being put forward—call a public inquiry. The citizens of Elgin, Middlesex and London and those corrections officers would love to see a public inquiry called, because we know that this government abdicated its responsibility in looking after those individuals.

**The Acting Speaker:** The member for Halton has two minutes to respond.

**Mr Chudleigh:** I'd like to thank the members for York West, Nickel Belt, Oxford, and Elgin-Middlesex-London for their comments. I'd particularly like to thank the member for Oxford, since his comments were by far the kindest.

However, as to the comments concerning the way in which the bill is structured and the regulations that are to come, I believe this has been the way in which we have introduced the vast majority of bills that have come before this House. When you go two, three or four years down the road and you're working with a piece of legislation, all of a sudden there's something in the legislation that needs a little twiggling, a little change, and something isn't working quite right. Maybe technology has moved ahead of where we are now or perhaps something like that has to be done.

If you have to bring the legislation back to the House to implement that change, it's a very time-consuming and difficult process that may take many months, and perhaps years, to accomplish. That's why most of the ways in which this bill actually operates are in regulations in the act. That is why we're being very clear about victims' rights, and talked about victims' rights and what they'll be able to do. They'll have standing at a hearing and they will have transportation to that hearing. Everything will be done to ensure that their emotional plea will be there at that parole board, along with the emotional pleas of the other people who are involved in that process. It's also, as the member for Elgin-Middlesex-London said, the protection of staff in this bill that is extremely important.

1940

**The Acting Speaker:** Further debate?

**Mr Gerretsen:** Let me just make reference to a couple of comments that have been made. I'll start with the comments made by the member from Halton. He and I agree on the fundamental concept that the only way you'll ever see a change by many of the offenders in our society is by having good, sound rehabilitation programs. I'm not sure whether we're talking about the same kind of programming, perhaps, but let me just say this: in

coming from a community that has seven large federal penitentiaries in its riding, I can say without any hesitation that both the federal government and the provincial government, in their dealings with offenders, have sadly lacked adequate, efficient, useful rehabilitation programs. We all mouth the right words. All governments in the past 30 or 40 years talk about rehabilitation to get the criminal element and the nature of the criminal mind changed somehow so that they do not reoffend, but from a practical viewpoint, and having been in some of the institutions and worked with some of the inmates from time to time, the amount of actual effective rehabilitation that's going on in this country at both the provincial and the federal level is sadly lacking.

We say they're being rehabilitated, but what actually happens is not that at all. I blame all governments in the past, both federally and provincially, for that. If we're really serious about wanting to change the criminality of the people involved in that, we'd better start putting a lot more of our resources into it.

There are at least some programs that are starting, and some of them have been around for a long period of time. You would be amazed, for example, in federal institutions at how many of the inmates are involved in some sort of upgrading of their educational skills. The member from Essex and I had an opportunity to go through Kingston Penitentiary this summer, and there were some programs going on there that I suppose the average person on the outside isn't really familiar with. I'm sure the same thing is happening in other institutions as well.

That is a step in the right direction. But much more has to happen if we really want to reduce the recidivism rate, because the theory on it is very simple: if somebody broke the rules of society by committing a criminal act before they went into prison—and that's what gets them there in the first place—how can we possibly expect these people, after having spent two to five to 10 years there without any sort of effective rehab programs in the penitentiaries or the provincial system they're involved in, to come out after that period of time and somehow be good-behaving citizens? They failed the first time and they don't get any effective rehabilitation, so they're doomed to fail the second time.

This isn't a problem that this bill is going to solve. It's going to take an effort by an awful lot of people, a lot of goodwill by a lot of people and a lot of resources. But that's the only effective way if we're ever going to deal with that situation, and we certainly have to deal with that if we really want to do something about that situation.

Let me also say that the general public who may be watching this must be awfully confused. They know the criminal laws in Canada are basically set by the federal government. They also know that, at the provincial level, we have some jurisdiction in that regard, and our penal institutions, or our—what do we call them at the provincial level? Not penitentiaries, but—help me out. What do we call penitentiaries at the provincial level? We don't call them penitentiaries. The institutions we have at the

provincial level basically only affect individuals who have been sentenced for two years less a day.

The hardened criminals, the people who commit the crimes we all read about in the paper, are usually in the federal system. They're not in the provincial system. Yet from looking in on the provincial parliamentary channel from time to time, the average person in the general public must think it must be totally and completely a provincial responsibility, because we seem to be dealing with a lot of these tough-on-crime bills that this government has become well-known for. Yet most of the changes in the laws that we really want to take place have to take place at the federal level.

If we really want to do something for victims of crime, then we had better start dealing with some of the issues that have been raised in this House. Ipperwash is a perfect example. It's a situation that occurred six years ago in September of this year. There are victims involved, people who have lost a loved one. The family of Dudley George, who died in that, are the victims. Why has there never been a public inquiry into that? We don't seem to be concerned about the victims of that particular crime—or at least the government by not calling an inquiry.

I have a situation in Kingston where a young girl, a seven-year-old girl, was killed or was murdered or died—I don't want to make any prejudgement whatsoever. For a long period of time the mother was charged with that offence, and at the last moment the charges were withdrawn because she could have been killed by a pit bull, which very few people had heard about before. It's the case of Sharon Reynolds. I've presented petitions in the House with respect to that particular case.

There's a victim. The family is a victim of what happened in those circumstances. Why aren't we holding an inquiry? I've requested that an inquiry be held by the Attorney General into why the trial of that matter was all of a sudden cancelled or not proceeded with. The mother who was charged with those crimes lived under the burden of that charge for two years, and all of a sudden the charges were withdrawn.

What I'm saying is that there are many victims of crimes in many situations where we feel something ought to be done by way of a public inquiry—it applies to Ipperwash; it applies to the Sharon Reynolds case—where this government, which wants to do something for the victims of crime according to this legislation, really has not acted in any way, shape or form.

So I say to this government, yes, this bill is a step in the right direction. I think it's a good idea that individuals who have been victims of offences have a role and participation in parole board hearings. But, as has already been pointed out tonight, there is absolutely no guarantee in this bill that that will happen, because the bill specifically says they "may" participate. I know the government members will say you cannot force a victim of crime to participate in a parole hearing, and I agree with that. If somebody does not want to participate, you cannot force that on them. We all agree with that.



But the “may” in this clause can also be interpreted as meaning that the Attorney General or the Crown prosecutor or whoever is involved in the parole hearing may not necessarily include the victim of that crime in those hearings. If they want to do it in such a way that the victim cannot be forced to participate, they could have said, for example, that a victim of an offence “may at his or her discretion” participate in the proceedings. That way, it’s not mandatory but only if the person really wants to. But the way it’s written in this bill, there is absolutely no requirement on the crown to include the victim of the crime in a particular board hearing.

#### 1950

In the research I did when I knew I was going to speak on this bill, I came across the Canadian Statement of Basic Principles of Justice for Victims of Crime. These basic principles were adopted by the federal and provincial ministers responsible for criminal justice issues. In the few minutes I have, let me just read you some of the basic principles that all the provincial ministers and the federal minister have agreed on.

The first principle is that “Victims should be treated with courtesy, compassion and with respect for their dignity and privacy and should suffer the minimum of necessary inconvenience from their involvement with the criminal justice system.” Quite often in the past, victims of crime weren’t necessarily notified by crown attorneys as to when the individual who committed the crime against them would be brought before the courts, or certainly what kind of communication it should be wasn’t standardized across the province. This is a good principle.

The second principle in these Basic Principles of Justice for Victims of Crime states that “Victims should receive, through formal and informal procedures, prompt and fair redress for the harm which they have suffered”—a laudable goal.

The third principle is that “Information regarding remedies and the mechanisms to obtain them should be made available to victims.” In other words, victims should know about what the remedies are for them. It is great to pass a law, but if the people out there who may be affected by it do not know they have certain rights, then really the law is totally meaningless to them. They have to know what the remedies are and what redress they can seek.

Fourth, it states that “Information should be made available to victims about their participation in criminal proceedings and the scheduling, progress and ultimate disposition of the proceedings.” They have a right to know what happens to the person who perpetrated the crime against them.

Fifth, “Where appropriate, the view and concerns of victims should be ascertained and assistance provided throughout the criminal process.” I think it’s very useful for crown attorneys to know exactly what the attitudes of the victims are in the manner in which they proceed with the criminal charge.

Sixth, “Where the personal interests of the victim are affected, the views or concerns of the victim should be brought to the attention of the court, where appropriate and consistent with criminal law and procedure,” which is much like number 5.

Seventh, “Measures should be taken when necessary to ensure the safety of victims and their families and to protect them from intimidation and retaliation.” The member from Halton has already spoken about that, and the bill speaks to that as well. There should be some monitoring of phone calls, for example, to make sure that phone calls aren’t being used to further criminalize the victims. Certainly the seventh principle of justice for victims of crime addresses that.

Eighth, “Enhanced training should be made available to sensitize criminal justice personnel to the needs and concerns of victims and guidelines developed, where appropriate, for this purpose.” I think all of us are sometimes guilty of sort of having a basic—how shall I put it? We know what our job is, and therefore we do it very quickly. The same thing applies to the professionals in the criminal justice system. But quite often the person who may only be involved with the system every now and then may not have the same knowledge and may be left on the outside looking in, not really knowing what’s going on. What this talks about is an obligation on the individuals who are involved in the criminal justice system to make the victims aware as to exactly what is happening and how the criminal proceeding is proceeding through the judicial process.

Ninth, “Victims should be informed of the availability of help and social services and other relevant assistance so that they might continue to receive the necessary medical, psychological and social assistance through existing programs and services.”

We’ve talked about this in the past, that it’s extremely important that victims of crime be given the resources to deal with however they are affected by the particular situation. Certainly this ninth principle speaks about that.

Tenth, which is the last principle, is, “Victims should report the crime and co-operate with the law enforcement authorities.”

That is almost a given, but I think it also speaks to the fact that people are sometimes reluctant, particularly if they don’t have the same knowledge base of how the process proceeds within the criminal justice system as those people who are daily involved in it.

These are very good principles. I would hope that the government, in bringing forward legislation in this area, will keep these principles of justice for victims of crime as a prerequisite guideline, to make sure that any new legislation adheres to these principles.

While I was surfing the Web, I also came across an item—I see that I’ve got less than five minutes left so I will just glance through this very quickly. These are frequently asked questions by people who are involved with the system, who are victims of crime. Again, we cannot assume they have the same knowledge as people who are involved in the system on an ongoing basis.

For example, here's a question: "I was mugged and viciously assaulted, and my wallet and jewellery were stolen. The police have laid charges against the person who did this, and the case is going to court soon. Do I need a lawyer to make sure this person doesn't hurt me again?" A very legitimate question. People have these concerns. The answer of course is no, you don't necessarily need a lawyer: "You should not need your own lawyer. The police will charge the accused person with offences based on the information they gather in their investigation. In court, the crown prosecutor, sometimes referred to as the crown attorney ... will handle the case." But that's a question that people have had. I've had those kinds of questions when people have been assaulted and victimized in crime: do they need a lawyer, necessarily?

It gets even more basic: "Who is the crown prosecutor and is he or she my lawyer?" the victim's lawyer. The answer is, "The crown prosecutor is not your lawyer in the same way as an accused has their own lawyer.... He or she may also be called a crown attorney in different parts of Canada," but they are responsible for prosecuting criminal cases on behalf of the state not on behalf of the victim necessarily.

"If I need information about my case, where do I go?" as a victim. "When charges are first laid against an accused, the matter will be in the hands of the police. You should make sure that you know the name of the officer dealing with the case and the file number," so you can contact them. Then after a while, the case gets referred to the crown prosecutor, and you should know who that is as well, or you have a right to know who that is.

"Will I have to testify?" and, if so, how often? "As the victim of the crime you will be one of the main witnesses or the only witness," and yes, you will have to testify if a not guilty plea is entered.

"What is a victim impact statement?" We hear more and more about that these days. "It is a written statement made by the victim of a crime that describes the harm done to the victim and more generally the effect that the crime has had on his or her life. The statement is given to the judge who is sentencing the offender to take into account when considering the sentence the offender will receive."

"How do I make a victim impact statement?" Usually the crown prosecutor or someone from the office will help in that regard.

"As a victim of domestic violence can I prepare a victim impact statement?" The answer is, "Yes. The law states that any victim of any crime can prepare a victim impact statement."

It goes on to a number of other questions. I certainly won't go through this. It also talks about restitution orders, when a judge makes a restitution order. It basically means that if there is any money recovered it will go to the victim, but not necessarily if there is a fine imposed. That money goes to the state. I would suggest that anybody who may be interested in this go to the Canada justice site, under [www.canada.justice.gc.ca](http://www.canada.justice.gc.ca). That deals with this whole issue of victims of crimes and

the frequently asked questions that people who, hopefully, may only be involved as a victim of crime once in their lifetime quite often have, because they are simply not familiar with the system on an ongoing basis.

#### 2000

So I say to the government that this a step in the right direction. This bill certainly doesn't give anybody the right to appear at a parole hearing, because the word "may" is used rather than "shall," but at least it will give the victims of crime, hopefully in most cases, a greater input and a greater say.

It is absolutely imperative that if we want to live in a society where we respect the rights of the individuals that we respect the rights and our obligations to the victims of crime. This is a step in the right direction, but I would again say to the government to take that further step and make their involvement in the laws, in the whole area of victims of crime, as meaningful as possible.

#### The Acting Speaker: Comments and questions?

**Ms Martel:** I have appreciated the comments that have been made by the member for Kingston and the Islands, specifically the comments that focus again on the fact that the government has the discretion with respect to whether or not victims actually are able to participate at parole hearings. There is nothing guaranteed. I think it's very much in the government's interest to do whatever it can to amend this legislation to make sure there is a guarantee.

I don't buy the government argument that the process around which someone can participate is a process that can only be done by regulation. The explanation that was offered up by a government member earlier was that things change, we may want to come back and make some changes to that, and it may take months, even years, to make amendments to something that's already in the law.

Look, we all know if something's a priority the government gets it on the legislative agenda and away we go. The question is, is it a government priority? I really disagree that the government has not made any effort whatsoever in this legislation to outline to us even what they're contemplating with respect to this particular section. I think we'd be much better served and, frankly, so would the public and so would victims, if much of that appeared in the law.

I say again, amendments to any law are a question of the government's priority: if it's a priority, it comes to the top of the legislative agenda and it gets dealt with; if it's not a priority, then it doesn't get dealt with. Frankly, that already happened to the previous bill. It was such a priority for the government that it was lost when the Legislature prorogued, so the government had to bring in a new bill. It really is a question of what they want to do and what assurance they want to provide to victims that there will be some guarantees about their participation.

In the same vein, I think we should take a look at the federal law or Mr Kormos's bill and put in the law some of those areas around disclosure of information that are already contained in the federal statute and Mr Kormos's



private member's bill. That would give the public a much greater sense that they are going to be able to obtain information that they believe they have a right to, not only with respect to the inmate but with respect to release date, etc.

**Mr Chudleigh:** You know, occasionally some really scary things happen in this House. In fact, it was so scary that I had to check the table to make sure the date was October 24 and not October 31 when the witches and goblins and ghosts of Queen's Park walk these halls. But, I find myself today—this is the scary part—agreeing with the member for Kingston. I had to pick up the bill. I reread it—skimmed it quickly. Yes, it's the bill I thought it was, and the member and I agree on this bill. The member pointed out that rehab of—

*Interjection.*

**Mr Chudleigh:** Mark it down on the calendar, John. It's a point when we've agreed on something.

Rehabilitation of the inmates or the prisoners in our facilities is a very important part and until we get that right, we're never going to get the recidivism rate down. I think we could find an easier word to say than "recidivism." To serve the people who are there, to ensure that they have an opportunity to get on to a better life, to change their ways, rehabilitation is a very important part. Although this is a small step, it's a step in that right direction beginning that process.

The other comments the member made concerning victims and the misunderstandings they have, the fear they have that justice may not be done in this case, or "How do I ensure that justice is done?"—I've had people in my constituency office who have had difficulties when cases have been put off or delayed, and it's gone back two and sometimes three times, and they say, "What's going to happen? This person is going to be dismissed without serving any time. I'm at risk here." They're scared because they don't understand that process. That's why victims' help lines are in place with this bill and with our victims' rights bills.

**Mr Peters:** I want to commend my colleague from Kingston and the Islands for his great job at giving us some overview of the legislation we have in front of us tonight. I want to take this opportunity to speak about a true victim of crime. He fits into a number of categories within this legislation. He's a victim of crime, but he's also a corrections officer, two issues that this legislation deals with. This gentleman's name is Roland Carey. This relates back to an incident that took place on February 29, 1996, at the Elgin-Middlesex Detention Centre. This was a terrible time. I made reference earlier to document shredding and people being forced out of their jobs, but I just want to go on the record with some issues of why I think a public inquiry needs to be called as to what took place at the Elgin-Middlesex Detention Centre on February 29, 1996.

In my office I have a signed sworn statement by a gentleman by the name of Neil McKerril, assistant deputy minister of corrections. It talks about this famous Sunday meeting. This famous Sunday meeting came

about because documents were being shredded at the Elgin-Middlesex Detention Centre. Catherine Hunt, the assistant to the minister at the time, Bob Runciman, was there, and she was fully aware of what was going on. Do you know what they did? You talk about victims of crime and true victims; Roland Carey is a victim. Do you know what these individuals did on that famous Sunday morning? They put a number of names into a hat, pulled the names out of the hat and decided which managers were going to be charged. Carey, Johnson and Ogilvie: these were officers who were charged with offences against unnamed offenders, and no evidence was given in that regard.

Roland Carey is a true victim of this crime and a true victim of this government because Roland Carey chose not to roll over, play along and follow the rules. He fought, he was acquitted, but Roland Carey was a scapegoat. After five and a half years, this government owes the people of Ontario, in particular the people of Elgin-Middlesex-London, a public inquiry.

**Mr Martin:** I don't think there's anybody in this place who doesn't think we should be doing as much as we can to make sure victims of crime are dealt with in a way that speaks to the need for restitution, their involvement in whatever sentencing goes on re the perpetrator of the crime and that we make every effort collectively, together as a Legislature, to ensure that that in fact happens. However, the track record of this government where that kind of thing is concerned pales in comparison to the rhetoric we hear from them through the communications strategy that comes out with each one of these initiatives, and to the meetings and level of public discourse they have around the issue of victims of crime and being tough on crime. I suggest that most of this, including this bill, is more of an effort by this government to play on the emotions of people where crime is concerned to gain political advantage but really not ever to do anything of any substance.

We've had bill after bill brought forward by this House to be put out there into the public, and somebody comes forward to use it and take advantage of it and it's discredited, either in front of the courts or even before it gets to the courts, as people explore just exactly what is there to assist them in their attempts. In this instance we have a bill that's two pages long that portends to give victims a right, but in there it says "may." If this government were interested at all, it would take the bill by my colleague from Niagara Centre and move it forward.

**The Acting Speaker:** The member for Kingston and the Islands has two minutes to respond.

**2010**

**Mr Gerretsen:** I'd like to thank the members from Nickel Belt, Sault Ste Marie and Halton and my colleague from Elgin-Middlesex-London for their comments. By the way, I'm glad to see the member from Halton agrees with me on the rehabilitation side, but—

**Mr Alvin Curling (Scarborough-Rouge River):** He has to.

**Mr Gerretsen:** He may not have to, but I'll tell you, in the long run, from a purely economic viewpoint, it is to the advantage of all of us that the recidivism rate gets as low as possible and that fewer and fewer people return to jails, prisons and penitentiaries of this country. Federally, I know it costs a minimum of \$80,000 to \$90,000 per year to keep an inmate there. It would be to our advantage that there be as few inmates as possible. That's just from a monetary viewpoint. I know you people on the other side are always so very much interested in that. It's not even taking into account the social factors.

What I think is very important for the government to implement in this bill and in its other victims of crime legislation is to deal with the recommendation as put forward by the voice of victims: that there be province-wide victims' service standards. That is absolutely essential. You cannot have the system operating extremely well in one part of the province and be neglected in another part of the province. I think it's very ironic that in this legislation you didn't deal with this whole notion of having the same service standards for victims of crimes across the province. Perhaps you can still do it by way of regulation. I would certainly implore the minister and the parliamentary secretary to do that, because the people of Ontario have to understand that they will be dealt with equally when they are victims of crime, in the same way across the province.

**The Acting Speaker:** Further debate?

**Mr Martin:** I appreciate the opportunity to speak yet again tonight. It seems it was only last Wednesday that I was up with my colleague from Nickel Belt addressing and participating in debate and discussion on another bill where victims of crime were concerned, yet another bill that really wasn't intended to do anything of any real significance that would commit this government to putting resources into actually taking action on behalf of people. We see this over and over again in this place as this government continues to hit those hot buttons that it has identified as so absolutely necessary to maintain itself in office and to attract the attention of a group of people out there who continue to see them as the best thing to happen to Ontario since sliced bread.

I want to say to you tonight and to the folks out there that there is a lot more that is disturbing about these bills coming forward these days than just the fact that they either do nothing or duplicate work that has already been done by other good members of this place. Last week we had a bill that duplicated the work of Cam Jackson; this week we have a bill that duplicates the work of my colleague Peter Kormos from Niagara Centre. The cynicism that ultimately comes about by people who actually try to take advantage of some of these pieces of legislation is probably the most troubling part of all of this. We have people out there who have been genuinely hurt in some very tragic instances of perpetrated crime who want to move forward in a process of, yes, making sure that the perpetrator is put away so he doesn't hurt anybody else, and also that this person who has hurt them gets the kind of rehabilitative, restorative support and

help they need. They want to make sure that happens, even to the point of wanting to be at some of the meetings that take place during this person's incarceration, which revolve around things like day parole or passes or probation. I think we all understand that and support that need of all the people who are involved when crime happens. We should be doing everything here to make sure that happens, that opportunity continues to be there for that to happen.

We on this side will certainly support legislation that will effectively answer some of those real needs. I think that's no more obvious than my colleague Mr Kormos, who put forward a bill in June 2000 that spoke to the very issue we're dealing with here today. It's some five or six pages, compared to the bill we had tabled here just recently, which is no more than two pages.

I guess what I want to put on the record here tonight, and I think I probably speak on behalf of my colleagues and my caucus in this, is that when you do this, when you put forward a bill, a piece of legislation, and with it send messages out to the larger public that you're attempting to do something to support and help and encourage victims of crime to participate in the restorative nature of the justice system, and then at the end of the day they find out, as was the case where the Victims' Bill of Rights was concerned, and Justice Gerald Day, in ruling on a case that was brought forward, had this to say: "I conclude that the Legislature did not intend for the Victims' Bill of Rights to provide rights to the victims of crime. The act is statement of principle and social policy beguilingly clothed in the language of legislation. It does not establish any"—any—"statutory rights for the victims of crime," I think what you sow are the seeds of cynicism.

When you sow the seeds of cynicism, you whittle away, you hammer away, at the foundation upon which our whole justice system is built. We should not be surprised, then, if people out there have no faith, do not believe, do not support, have nothing but critical and negative things to say, are angry or afraid where the issue of perpetrated crime and justice and their ability to participate in some restorative practice or process is concerned. They simply walk away and do not work with us to make this system better, to lend their experience, their very strong emotion, commitment and understanding to this whole process to make it better.

I think that's really unfortunate. I know in my own community there are a number of very good and committed people who want to be involved in the process of doing justice, of making sure that through the whole process of charging somebody, bringing them through the court procedure, the sentencing and ultimately the playing out of that sentence and all the meetings that take place to decide where that person is or isn't going to go and eventually re-enter society. They want to be involved, but they want to be involved in a way that is meaningful, that isn't a waste of their time and energy, that doesn't belittle in some way their own experience.



At the end of the day—and I think this is the most important part of all this—is a process of restorative justice where they feel that what was taken away from them in this perpetrated act has been somewhat replaced, and in some instances that they've grown from this event to a point where they can not only get on with their lives, but get on with their lives with the feeling that they've done something, they've made something good out of something so obviously bad and in some instances very tragic. Those people want to believe that government is interested in what they have to say. Those people want to believe that government is keenly concerned about their experience. When they see and read and hear of the lack of purpose and opportunity that exists in some of these pieces of legislation, they walk away shaking their heads, no longer willing to participate.

2020

We can, though, always do the right thing. I'm never without hope. I'm not the kind of person who gives up easily. So tonight I stand here with my colleague who has spoken already, to say to this government that if you really want to do something in this instance, if you want to make this bill reflect what's in the preamble, if you want to make this bill actually amount to something and provide victims of crime with some real opportunity to participate, then you might want to go back and take a look at Bill 89 and build on that. Perhaps invite the member from Niagara Centre to come in to your office and have a discussion about how his bill might be further developed to deal with some of the issues you think need to be dealt with, or to work with your bill so that, at the end of the day, he is satisfied that the work he has done has contributed to some movement forward, some progress in the area of victims of crime actually having some part to play in the restorative justice process that needs to happen in instances where people get hurt.

I say to the members, as I said last week, that it's never wrong to say, "I don't have all the answers." It's never wrong to admit that maybe in partnership with other people we might be able to do something that's better. It's never wrong to admit that perhaps somebody else has already done something that fits the bill, and maybe we should be adopting that and pushing that forward as theirs and our own.

As a matter of fact, I would suggest that some of the best things that have happened over the years to make this province the place it is—so supportive of families and communities, such a wonderful opportunity for those who choose to come and live here to better themselves and their lives—some of the institutions that we've developed to support the quality of life we all enjoy, have been done co-operatively, have been done when government sees itself as an arm of the larger community out there. When the government sees the role of opposition less as an irritant or something it has to get beyond or ignore or simply deal with in some often dismissive way and sees the potential and the possibility that's there if we all work together to do something that, when it's processed, when it's taken out to the public, when people

have a chance to look at it and respond to it and be critical of it and bring forward their own suggestions for improvements, we do our best work. I suggest, as I said a second ago, that a lot of those things that we now hold out as sacred, as representing the best of democracy, that which we hold so dear, that which others out there in other jurisdictions aspire to, have been done in that atmosphere of co-operation and working together. That's not what we're getting here.

I hate to be doing this and to be the one always, I guess from a cynical perspective, suggesting that maybe what this government is about isn't necessarily improving the processes and the situation in this province where supporting and helping people is concerned, whether it's people in need of our help in the social assistance field, whether it's people in need of our help where education is concerned or where health care is concerned, whether it's people out there trying to make a living who belong to labour organizations, or whether it's people caught up in the justice system—that in fact we're not really trying to help them, that we see them more as an opportunity to make political points, so if it's politically expedient and helpful and furthers our agenda to see them more as hot buttons, as somebody we can attack, pick on and take advantage of for our own political gain, then we do that. You do that. You do that consistently. It happens here time and time again.

People who watch this place and hear me speak know that almost every time a bill comes forward here, there is something in it that is of that nature. The member for St Catharines, when he's here, talks about it as a hostage. I've often talked about some of the legislation that this government has brought forward as a Trojan Horse. It looks great on the outside, very exciting and attractive. It grabs all of our attention. We're mesmerized by it. The communication package that goes out, the public relations package that goes out, is of the best quality, because they have at their disposal, both as a political party and as government, unlimited resources to do that. So they send it out and everybody out there thinks it's the greatest thing since sliced bread because it usually appeals to something in them that's of a nature that speaks to anger or fear, the lowest common denominator—resentment against some person or some group.

We could all do that. We could build a society built on that, and we know of societies out there around the world today that have built their communities and their institutions on just that kind of thinking. We don't like it, and the people who have to live within those jurisdictions don't like it either.

So I say to the government and to all of us here that it doesn't serve us well to be continually and constantly looking for scapegoats, looking for hot buttons, bringing forward legislation simply because perhaps we have nothing else to do; we have nothing else to bring forward. So we look around at the usual suspects, we pick one or two, and we develop a two-page bill that really does nothing and we table it so that we can have that debate in here where you can get up and talk about how terrible the

people who are targeted in this legislation are and how we need to be tougher on them and how we need to challenge them to do the right thing and be responsible for themselves and how they are the bane of our existence. If we could only get them to do the right thing, if we could only get them out of the way, if we could only get them to change their attitude, how much better off we could all be and how much better off the systems that serve people could be.

2030

But alas, as I said, that doesn't serve us well, and I think the government should be honest about what they are trying to do here and proposing to do. If it's that they just have nothing else to do, they should say so and perhaps call an election. The Premier announced last week that he was stepping down, and in his announcement one of the things that surprised me was his statement that he had done everything he had come here to do. I don't know what that says to you, but it certainly says a lot to me. He says that he's the leader, he's the guy setting the agenda, he's the one pushing the program here for this government, and if he's announcing that he has done everything he has come here to do, then I would guess that means there is nothing left to do. So the government is going through, you would think perhaps, all of the bills that sort of got stacked over the last six or seven years that were in some instances just way too outrageous to have made the priority list. We're beginning to see some of them come forward here these days. With some of them it's not necessarily how outrageous they are; it's just that they don't do anything.

There are a lot of backbenchers over there who don't have a whole lot to do, which I know from some of the initiatives and announcements and communications that have come out of some of the groups they've formed to keep themselves busy, like the gas busters and the crime commission. The list goes on and on of groups they've pulled together to look at varied and sundry things and come forward with some wacko, crazy ideas and useless initiatives to, in their understanding, make things better but that at the end of the day really don't do anything. I would ask the government again to take a look at that. Please don't waste our time here.

You have a bill here. We know what you want to do; at least at face value we know what you want to do. If you really want to do what you say you want to do with this, you would take this bill, the bill that was put forward on June 13 last year on by the member for Niagara Centre, and make it the centre of this very important work. As I started out in my few comments here tonight, I don't think there is anybody in this place—on any side of the House in any of the parties—who doesn't want to better the lot of the victim of crime in this province, who doesn't want to do whatever it takes to involve them in the restorative justice process for the perpetrator and to be involved in those decisions. That's all I have to say. Thank you very much. I'll be looking forward to further debate.

**The Acting Speaker:** Thank you. Comments and questions?

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** First of all, I want to commend the member for Kingston and the Islands. A little while ago he spoke about the penitentiary services. This gentleman knows what they are because he had seven federal penitentiaries in his riding.

Ce projet de loi est identique au projet de loi 171, projet de loi présenté à l'automne 2000 par le ministre du temps, le député de Lanark-Carleton. Je me demande s'il est vraiment nécessaire de présenter ce projet de loi aujourd'hui.

Le fédéral a déjà un système en place. Les normes ont toutes été établies en travaillant ensemble avec tous les ministres de services correctionnels du Canada dans chacune des provinces, dont celui de la province de l'Ontario. Un rapport intitulé *La Voix des victimes* a été remis au gouvernement en l'an 2000. Ce rapport faisait la recommandation que les victimes doivent avoir droit de parole lors d'audiences concernant les actions disciplinaires qui doivent être prises.

Nous avons plutôt décidé de concentrer, de travailler afin de privatiser nos prisons dans la province. Je crois que la privatisation actuellement occupe beaucoup ce gouvernement, et tout démontre que ce n'est pas toujours la meilleure façon. Aux États-Unis, avec la privatisation, nous avons connu des personnes qui se sont sauvées, comme on dit, qui ont pris la fuite des pénitenciers, avec des augmentations de 32 % depuis la privatisation.

Nous connaissons aussi que notre service de privatisation manque souvent de formation. Je crois que si nous ne regardons pas à la formation, nous allons avoir un jour de la difficulté.

**Ms Martel:** I appreciated that the member for Sault Ste Marie reminded me and the rest of us that it was not too long ago that we were here debating a bill that allegedly gave some rights to victims, and that in fact what the government proclaimed the bill was supposed to do to give some rights and benefits to victims was not etched in stone. If you look at the government bill we were dealing with that night—it was Bill 69—there was nothing in that law that guaranteed that people who were victims would receive proceeds from any kind of video, movie, book, release or public appearance undertaken by a criminal, that guaranteed a criminal could go out and do that and portray his or her story, make a whole whack of cash off that exercise and under the government's bill that money would automatically go to the victims.

We pointed out time and time again during the course of the debate that evening that there was nothing in government Bill 69 that guaranteed that for victims. In the section that talked about payments out of the account the government was going to set up to hold these proceeds, the government "may make payments out of the account," not "shall," not "is obliged to," not "has a responsibility to," but "may"—the Minister of Finance might, if it moved him that day to do so. What was also important was that any extra proceeds could be used by



the government for any kind of purpose outlined in the regulations.

That night I heard members from the government side talk about all this money that was going to go to victims, guaranteed, and when you looked at the legislation you found that was completely untrue, completely false. It was dishonest to tell people that.

The point we're making here tonight is don't tell people, victims in particular, that they're going to have some access to a hearing, because the law we're debating tonight, the current bill before us, doesn't provide that guarantee at all. If you want to do that, look at Mr Kormos's bill and amend it accordingly.

**Mr Bob Wood (London West):** As the House is aware, the reason for the provisions in this bill is to try to reduce the instances of repeat offences, and I think all the provisions of this bill are going to be helpful in that regard.

One thing I hope the member may do when he responds to the comments that are made is to answer a few questions: does he favour the provision in the bill to make regulations providing for standards of professional ethics for persons employed in the administration of the act? Does he favour being able to prescribe grooming and appearance standards for inmates? Does he favour the provision that provides for the monitoring, intercepting or blocking of communications between inmates and other inmates or inmates and other persons?

I also would be interested to know whether he favours the provision of the bill that makes it clear that the fact an inmate or young offender is alleged to have committed an offence under an act of Canada or of Ontario does not prevent internal disciplinary procedures from being taken against him or her in accordance with the regulations under the act.

All the key provisions in this bill are oriented toward reducing repeat offences, and I hope that when the member comes to reply to the questions and comments he will answer the questions I just put on the record. We have some good, specific ideas in this bill that I think are going to help in reducing repeat offences. I'd like him to tell us point by point whether or not he favours the provisions in the bill. If he doesn't favour them, I'd like him to tell us why he doesn't think these are going to be helpful in reducing repeat offences, because surely that is the bottom line.

That's what we're trying to achieve in corrections. I'd be interested in the input of the member for Sault Ste Marie on those points.

**Mr Sergio:** I have just a couple of comments to add to the presentation of the member for Sault Ste Marie. As well, I take in good stride the comments from the member from London as to the content of the bill. Yes, indeed, there are some specific areas the bill is presenting that are very acceptable, but we would like to see it expanded so that security is really visible and enforceable.

One area that I think is good is that a positive recommendation is about to come—I hope it will come—

to allow the victims of crime to attend in person as well when the inmate is present at the parole board. At the present time this is not possible; it's not admissible. We should allow the victim of a crime to attend hearings at the parole board.

**2040**

What's missing? One that I think is very important is the safety and security of our own correctional staff. At the present time they may be confronted and assaulted by inmates and the penalties are so laughable that I think it's just a question of doing it again and they're going to get another day of reprimand. One area that is not visible so much in the bill is that there are 50% more assaults occurring in private jails than in public institutions. This is an area the bill doesn't look at and where it doesn't go far enough. I think we should. After all, who are we trying to protect, the ones inside or the ones outside, the people who are supposed to be looking after the general public or the inmates who are supposed to be inside?

**The Acting Speaker:** The member for Sault Ste Marie has two minutes to respond.

**Mr Martin:** I appreciate the chance to respond and I thank those who participated: the members for Glengarry-Prescott-Russell, Nickel Belt, London West and York West. To the member for London West, who asked a couple of very specific questions, and I appreciate that, we intend to support this bill, however incomplete and useless a piece of work it is. We wish you would adopt the bill put forward by our colleague from Niagara Centre because it's much more comprehensive and useful.

If you think for a second that this little piece of stuff is going to do anything to reduce the level of recidivism where crime is concerned in this province, I think you're sadly mistaken. If you think simply giving a person a haircut and asking them to take a shower every other day is going to stop them from going out and becoming repeat offenders, I don't know what you're smoking over there, but it isn't going to do it.

What we need to ensure in this province is that there are programs of rehabilitation, that there's counselling, that there are all kinds of opportunity for people who commit crime to get training, to get into programs of restorative justice, to meet with the victims and have real interaction between people where crime is concerned.

**Mr Speaker,** I say to you and to the government, please don't add to the cynicism that's out there by people where the justice system is concerned.

**The Acting Speaker:** I think it will improve the overall ability of the House to do what it's intended to do if we don't get personal and if we keep the debate on a very professional level. With that, I recognize the member for London West for further debate.

**Mr Wood:** When we look at any corrections bill, we first have to ask ourselves, what is it the public is asking us to do in the corrections system? I think most, if not all, members of the House are aware that the Ontario Crime Control Commission has held perhaps 100 public meetings across this province, from Leamington in the south to Manitouwadge in the north, from Ottawa in the east to

Kenora in the west, and we've heard a pretty consistent message as to what's desired from corrections.

What's desired are three things. One is restitution to the victim. The second, in the case of serious offences like murder, is punishment. They think the sentences in serious cases of misconduct have to reflect society's denunciation of the act. But the third thing they want in every case is that the offender not offend again. One of the most important reasons for this bill is to achieve that.

To take up the commission I gave to the previous speaker, I endorse all of these provisions because I think they will strengthen, in the way in which they are going to operate, the possibility that the offender will not re-offend. That's their purpose. Now it is true, of course, that any one of these in isolation is a small part of the solution, but it's also true that the overall package, effectively done, can make a big difference.

The House is well aware that my view is that in order to have effective corrections, we have to take a look at the research. There's a fair amount of research that has been done—members of the House will be aware of a fair amount of it—and much of that is credible research. I think we have to redouble our efforts to find all the credible research from anywhere in the world and make sure that that research is incorporated in the submissions made by crown attorneys when it comes time for sentence, because if the sentence is wrong, nothing else is going to work. Once those submissions are made and, hopefully, accepted by the court, we can then look to the corrections system to carry out the sentence. If the sentences are made in accordance with what the research tells us will reduce recidivism, and if the corrections people carry out the sentence pursuant to the same research, I think we're going to see a significant reduction in the number of repeat offenders.

I heard some comment earlier tonight about some other methods: restorative justice and that sort of thing. I do want to comment very briefly on that, because that is one form of corrections as well. I think it's in fact quite an effective form of corrections, and I think it will support some of the things we're doing in the institutions in this bill.

When one looks at the problem of community safety, reducing repeat offenders and making sure that the safety of each and every Ontarian is increased, you have to look at the whole system. If we look at any of these in isolation, we don't see solutions and we don't see how the system is going to arrive at solutions. So I'd like to comment briefly, as I had invited the member for the Soo to do, on the specific provisions. My test is, are those specific provisions going to be helpful in reducing recidivism? I think the answer to that is yes.

The amendment of the Ministry of Correctional Services Act to permit victims to participate in the proceedings in the Board of Parole, I think, is positive. In order to understand the offence, the victim is one of the best sources of information. I think giving all aspects of the process, from the police to the people on the Board of

Parole to the corrections people, more information, is all to the good.

I am well aware that some are unenthusiastic about this because they fear it will put attention on the offence. Well, you know, that's why the person is in the institution and that's why the person was sentenced. One of the most important principles of corrections is the offender has to take responsibility for what he or she has done. I think that that's another way of assisting the offender in taking responsibility for what's been done. I might also say I am very confident that the Board of Parole is going to be quite judicious and quite fair, both to the victim and to the offender.

We also note that regulations are permitted prescribing standards of professional ethics for persons employed in the administration of the act. In other words, we're going to take steps to make sure that people who are working in this area have an understanding of the latest research, the latest ideas on what's effective. Surely that is a step forward. That is a way to make it less likely the offenders will reoffend.

We also note and have heard some comment on the part of the act that permits prescribing grooming and appearance standards for inmates serving sentences in correctional institutions. Some have said, "That in and of itself isn't going to avoid repeat offending." I think that comment is quite true. That's only one part of the whole program that is being offered to the offenders which will assist them in not reoffending. I would invite members not to dismiss too lightly provisions of this nature. They can be helpful, they can be supportive to the offender, and they can reduce the likelihood of reoffence.

I also note that the provision is there for the monitoring, intercepting or blocking of communications between inmates and other inmates or other persons. We do know that some in institutions wish to conspire with others to engage in inappropriate or unlawful conduct. That's a fact of life, it's a fact of human nature and it's there. The question is, are there some effective things we can do to prevent it?

#### **2050**

I think this act is a first step forward in order to prevent that kind of conduct. The blocking of communications, of course, also applies to communications between inmates and other persons, in other words, persons who are not inmates. This of course is aimed in part at avoiding the victim's being victimized again. In other words, for the offender from an institution to be phoning the victim, having communication when they're not supposed to, really, in a very real sense, can victimize the victim again. This provision is going to make it less easy and less likely that the offender is going to be in a position to victimize the victim again.

It also brings in an administrative provision. Of course, the public doesn't tend to be as interested in administrative provisions as they are in more substantive provisions, but it's an important one. "The bill makes clear that the fact that an inmate or young person is alleged to have committed an offence under an act of



Canada or Ontario does not prevent internal disciplinary procedures from being taken against him or her in accordance with the regulations under the act.”

This, of course, is important, because if there indeed has been a disciplinary offence and it is possible for the offender to delay any internal discipline for months and months and months—it can even be years; there are some criminal cases that drag on quite literally for years—it makes the discipline ineffective. After all, our provincial institutions have no one there who’s been sentenced to a sentence of more than two years less a day. So if we don’t have that provision in there, and it can be successfully argued that criminal proceedings mean that internal disciplinary proceedings can’t be pursued, it can, in some cases, make it effectively impossible to pursue internal disciplinary procedures against an inmate. I think all of this package taken together represents a number of significant steps forward in avoiding repeat offending.

I commend this bill to all members of the House. I have the sense that many members of the House are supportive of it. Some of course see it as looming larger than others, but even to those who think it not to be a major step forward, if you have enough small steps, they add up to large steps. I do hope that all members may see fit to support this bill, because I think it’s going to further what are clear goals of the public.

**The Acting Speaker:** Comments and questions?

**Mr Martin:** I want to take this opportunity to commend the member for London West for the stand that he took earlier today in defence of his colleague who wanted to bring forward a piece of business that he felt was of some import to his constituents and to use this place in that way. We’ve all done that from time to time. Something happens at home or in the community out there that we feel needs to be addressed. Sometimes, in our inability to find some other way or in our not understanding exactly how it might play out, we simply initiate the possibility of a discussion on something that we feel needs to be discussed.

To simply cut that off at the pass, as was initiated by the Attorney General this afternoon by way of a motion to the Speaker, in my view was not respectful of the process that happens here. I say to the member for London West, you need to be commended and you’ve certainly gone up a notch in my estimation, although I think we already had a fairly good relationship in this place as we’ve participated on committee back and forth, not agreeing always on things but being respectful of each other’s position.

Tonight, he suggests there are some things in this bill that will reduce recidivism. I surely hope so, because that’s what we all want to happen. Certainly victims of crime want anything we do here to be helpful to them, and ultimately that the offender doesn’t go out and commit crime again. I’m anxious to hear more and appreciate his position on this.

**Mr Galt:** I was most intrigued with the presentation that was put forward by my good friend from London West. He started out his presentation with some very

thoughtful questions. I have to agree with the member from Sault Ste Marie in his comments as they related to the debate earlier today in connection with a ruling by the Speaker. I too was very impressed with the thoughtful argument the member from London West put forward at that time, but also the thoughtful questions he not only put forward in his own speech but that he put in response to the member from Sault Ste Marie earlier. I thought that was a good way of packaging some of his thoughts.

He went on to talk about communications. I was rather taken aback to find out the kinds of privileges a lot of people—I guess anyone—behind bars really have. I thought something like a telephone call out would be very special and probably would be monitored anyway. But, lo and behold, I find that’s not the case. Even though you’re behind bars, you can pick up a phone any time, I gather, and harass the victim you victimized and the reason you’re in jail. It strikes me as very strange that that is even out there.

The member also goes on to talk about the reduction of repeat offenders. I think it’s certainly the belief of anyone here that the fewer people who return to jail, the better. It’s not our intent, by any means, to have our jails full. Our intent is to make sure that preventive procedures do occur. Many of the activities that we have carried out in our provincial correctional facilities are to try to ensure just that.

**Ms Martel:** My colleague from Sault Ste Marie said he sincerely hoped there were some things in here that are going to deal with recidivism and rehabilitation. There just aren’t, and I think it has to be said one more time. There are two sentences here that say the following: “36.1(1.1)(s) prescribing grooming and appearance standards for inmates serving sentences in correctional institutions that are relevant to the security of those institutions or to the health or safety of persons....” Prescribing how many haircuts an inmate is going to have or when they’re going to have their fingernails cleaned does not do anything to make sure they don’t go back into the community and reoffend. Nothing.

It’s silly for any member of this assembly to suggest that that particular phrase is going to do something about recidivism. People out there want to know that when an inmate is released, he or she is going to come back into the community and not reoffend. That means those inmates need access to education, if they haven’t had that, they need access to anger management programs, if they haven’t had those, they need access to drug and alcohol counselling, because some or all of those together are going to push them to reoffend. I think it makes no sense for us here this evening to say that section of the bill should somehow give comfort to people out there that offenders are not going to go out and reoffend without all those other things in place that I already talked about. They will reoffend. Talking about grooming or having their fingernails cleaned is not going to stop them from reoffending if we don’t have other programs in place.

2100

**Mr Gilles Bisson (Timmins-James Bay):** I've got to say I find it passing strange that by someone getting a haircut and a shave and getting their fingernails cleaned, somehow or other that is going to make people in my community or in Nickel Belt or anywhere else feel safe when we release somebody from an institution. It's not issues of grooming that are going to get to the—

*Interjection.*

**Mr Bisson:** I won't repeat that, but that was pretty good.

What I want to say is, you're not going to do anything when it comes to preventing people from repeating the offence for which they were charged by giving them a haircut. It is a stupid idea. I can't understand how anybody who is clear-thinking would actually think, for example, that somebody who stole a car or got charged under the Provincial Offences Act for a bunch of B&Es and got put inside a provincial institution for two years less a day and the individual went in with hair, let's say, down to below his ears—all of a sudden, they're going to say, "All right, clean up your act. That's it. You're going to get a haircut, you're going to have a shower and you're going to have a shave. And, by the way, we're releasing you from jail." Somehow or other, I'm supposed to feel better as a citizen because this person comes out of jail clean-shaven and with a haircut. He's still going to steal my car. I might feel better. It won't be as dirty when I get it back. It won't have lice on the seat and whatever else. I'm telling you, it's passing strange.

The point I want to make is, if the government is serious about trying to stop repeat offences by people who have been incarcerated, then you really need to get into programs that deal with the core issues. Why is it that people offend? Often we find that with repeat offenders, there are core issues we have to deal with, and I'm going to take time later on in my comments to get into that. If you really want to stop repeat offenders, you've got to get at those core issues. It's not by giving somebody a haircut that you're going to make them feel better. They may look better, they may smell better, but they're certainly not going to stop doing crime.

**The Acting Speaker:** The member for London West has two minutes to respond.

**Mr Wood:** I'd like to thank all members who participated in the questions and comments. I'd like to deal first with the comments by the member from Sault Ste Marie with respect to my submissions to the Speaker earlier today.

The fact of the matter is—and I say this to all members of the House—the Speaker's ruling has revealed a serious deficiency in the standing orders of this House. What he has ruled is that the rules do not permit the House to order an inquiry into something they think an inquiry should be ordered into. I suggest to all members of the House that reveals a serious deficiency in the rules. I think it is up to all of us to look at what can be done to correct that. I appreciate his reference to that, because it gave me an opportunity to offer the comment I

just did. As the member for the Soo at least knows, once I think an idea is right, I pursue it fairly relentlessly. I hope that anybody else who might be interested in the idea will assist.

To comment on a couple of the other comments made: A couple of the members who spoke pointed out that, in and of itself, better grooming is not going to result in reduced repeat offending. Of course, that's quite true. But I would invite those members who are skeptical to do two things—we may exempt beards; I mean, let's be honest. But consider two facts. One, the devil is in the details. It's part of a whole picture. To take one small part and say that will be ineffective is a mistake. You've got to look at the whole picture. It is also true that you should take a few minutes and talk to people who work in institutions and in corrections and see if they think these provisions might be helpful. If the members do that, they may gain some insight that would be helpful to them.

**The Acting Speaker:** Further debate?

**Mr Bisson:** I just want to come back to the last two points the member across the way made in saying, "I just want you to think about two things about why this bill is going to work." He says the devil is in the details. The reality is, there are no details in this bill. That's the whole point we're trying to make. If you read the bill, it says that if you have a shave and a haircut, somehow you're not going to reoffend, and it says that you as an individual really have no power as a victim of crime when it comes to being able to actually get to the parole hearing—and I'll get into the details later.

For you to say to us, "Take care. There are two points you really need to think about. The devil is in the details"—my good friend Tony Martin said the problem is there are no details. There's more devil than detail in this bill if you really stop and think about it. The other thing is that he says, "I want you to go and talk to people that work in institutions," that if we talk to people who work in institutions, we're going to get a better sense that there's a great groundswell of support for this bill. I have talked to people who work in institutions, in Monteith correctional centre that used to be in my old riding of Cochrane South. I've talked to people who worked in the Liskeard jail. I've actually visited a few of the federal penitentiaries. I've been in Hobbema with the Minister of Corrections where we actually saw a very interesting program that deals with First Nation offenders in the federal system, and what they tell us is simply this: you're not going to stop somebody from reoffending by giving the inmate a haircut.

I think it's really passing strange. This government seems to think that the answer, the key to stopping somebody from reoffending on the crime that they've been convicted of, is to say, "OK, this is how it's going to work. We're going to stop somebody from redoing an offence by sitting them in the barber chair." I suppose the idea is that as the barber is giving the individual a haircut, the barber is going to be giving counsel. He's going to be cutting the hair and saying, "Now, I don't want you to reoffend. My specialty this year is I've been giving



inmates haircuts for 25 years and somehow or other I'm able to make you not reoffend by cutting your hair. Do you feel the power? Do you feel the power going into you?" Then he says, "If you don't feel it, lay back in my chair"—I have to laugh because it's so laughable. He'll say, "Lay back in my chair. I'm going to give you a haircut. Now I'm giving you a shave. Let me sharpen up the blade. Are you afraid of me yet, Mr Offender? Are you afraid? Because if not, you better shake; I'm about to give you a shave." I guess the idea is that the inmate will be sitting back in a chair thinking, "Boy, if I reoffend, I guess Mike Harris is saying the barber's going to slit my throat, so I don't want to come back again." I've got to think that's what it is. There's got to be something here I'm missing when it comes to the details of what's in the bill.

So far, the barber's giving the inmate a haircut, probably a crewcut, because I think they like crewcuts over there. Then after that they're going to take the old blade and they're going to give the inmate a shave; they're going to make sure the inmate is clean-shaven.

Then they're going to say, "Move into the next chair. We've got M<sup>me</sup> Smith coming over. She's going to give you a manicure. She's going to cut your nails. She's going to make sure you've got no dirt underneath them." I guess Mrs Smith has a separate kind of degree that's she's going to sit there and say, "Oh, let me look in your hands. Oh, very long lines. Yes, I can see that in the past you had a troubled time as a youth." You have to laugh because it's so silly what this bill is doing.

They're saying you're going to stop recidivism when it comes to crime by giving somebody a haircut, giving somebody a shave and doing their nails. That's exactly what the bill says. I'm not laughing; I'm not making this up. It says inside this bill, clause (s) under section (2)—I want to read it to the public, because they're not going to believe it. They're going to think I'm making this up. It says that, "Prescribed grooming and appearance standards for inmates serving sentences in correctional institutions that are relevant to the security of those institutions, to the health and safety of those persons" basically is going to stop people from reoffending when they're released outside of the jail.

I guess Mrs Smith, who's doing the manicure, is going to sit there and read those long lines on the hand and make the person understand that in their youth they went wrong because it curves to the left and not to the right, according to Mike Harris. Then they're going to look and say, "There's the problem. See where those two lines intersect in your hand? You've got to put more Palmolive over there. By putting Palmolive, it's going to clean the soul." Then the person's going to feel really good, man. That inmate's going to have clean nails, is going to have clean hands, will have used Palmolive on that little spot on his hands. He's going to have a haircut and then he's going to have a shave, and then the person is going to walk right out.

The interesting part is that this person—they're clean-shaven, they've got their haircut, they've got their nails

done, they've had the manicure, the whole bit—is now released from jail. Now, let's just take a situation. Let's say that this person is an offender of any type, because obviously they've offended; they've been in jail. I don't want to speculate on what the person has done because I think that would make this issue a little bit more graphic, but somehow or other the individual now walks out of the Monteith correctional centre in the Iroquois Falls-Monteith area and says, "I've been saved. I feel good. I'm real clean. I got this haircut; I got a shave." Let's say this person got locked up for stealing a car, and all of sudden he starts walking down the road and he sees a car and he jumps inside and steals the car and goes again. It's ridiculous. As if giving somebody a haircut has anything to do with stopping somebody from repeating the offence they were charged for. It's actually ludicrous.

#### 2110

I would argue that if the government wants to be serious about trying to stop people from repeating the offence they were locked up for, they've got to look at what some of the root causes are. Often there is something that's happened to these individuals at some time. There are issues of poverty, traumatic issues that may have happened in their life when they were growing up as kids. There might have been no education as another issue. There's a whole host of issues that basically converge in order to put a person in the situation they're in.

I would argue that if we have somebody who's locked up in jail for two years less a day, we'd be well done trying to put in place programs to build on the weaknesses the person has as far as the lack of education, the counselling they may need when it comes to dealing with a traumatic event that may have happened in their life when they were younger, or whatever it might be. Yes, it's going to cost some money, but I would argue it's a lot less money if you do that than to allow the person to go out without any treatment and just giving them a haircut.

I want to give you an example that I had, I guess it was last winter sometime. I had an opportunity with Minister Sampson of visiting the Hobbema federal institution in Alberta. That particular institution is a First Nation institution that deals with people who have been charged with a criminal offence and are basically locked up for some pretty serious offences. When you're in the criminal system it's because you've murdered somebody, you've attempted murder—there are a whole bunch of serious offences that will put you in the system.

One of the things the federal government tried to look at was, how do you reduce the recidivism rate for those from First Nations communities who go inside these institutions? What they did was create what is basically a First Nations institution. Here's a jail that has no walls. It has no fences around it to talk about. The fence that goes around this jail is about the size you'd see at a soccer field. It doesn't have cells; it has houses where individuals live. Eight people to the house, I think, is the way that particular one is set up. But it's run by elders of the community of Hobbema. What they do is try and deal

with the root issues that have affected the individual and made them go into the life of crime that they did.

Here's the interesting part: nobody's run away from that institution, because they're given only one chance to get into the institution. If you fall off the wagon, you go back into the federal system. But the biggest issue is that the elders who are working there—Joe and George were two of the guys that I met—are trying to work with the individuals when it comes to the issue of healing the individual. So they go through traditional healing processes, everything from fasting to sweat lodges to the healing circles that are traditional to the Cree of that particular area, in order to try and deal with some of the issues.

What they found was that once a person goes through that system, the recidivism rate for those particular individuals is a lot less than it is in any other institution. Presently, the recidivism rate for the First Nations community is about 90%. In this particular situation, where we are spending a bit more money to do it this way, the recidivism rate in that institution is down around 10% or 15%. So there are things a government can do to diminish the number of people who go back out and reoffend once they are charged with a particular offence.

I argue, let's look at those types of models that we saw, for example, at the Hobbema facility out in Alberta. Let's look at what's done there and let's build on those successes.

For example, in the correctional institution in Monteith just outside the town of Iroquois Falls, about 50% to 60%, if I remember the numbers right, of the inmates who go to that facility are First Nations individuals, the Mushkegowuk Cree, by and large, who come from the James Bay coast. We know the recidivism rate is high. I can tell you that giving a First Nations individual from Attawapiskat or Moosonee a haircut when they go into an institution is going to do nothing to deal with that individual's issue of reoffending once they get out. If anything, it will probably add to it, because there is a cultural aspect to the way that they maintain their hair and the way that they want to appear. There are cultural issues that we need to be sensitive to. Why don't we look at something such as what's been done in Hobbema as a way of being able to really deal with the issue?

I want to deal with the title of this bill, because I think it's kind of interesting. It basically says it all. It says, "Bill 60, An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act." If you look at the title, it's another one of those bills such as we've had with this government over the past while where they introduce a bill and they say, "Don't worry, be happy. Everything's going to be great, because we've got a wonderful bill with a wonderful title." Then, when you look at the bill, you find out there really is nothing in there to give the victims any kind of rights whatsoever.

This particular bill purports to say that we're going to basically reduce the amount of recidivism by giving inmates haircuts and cutting their nails and grooming them and giving them shaves. I would argue that's a kind of stupid way to deal with the issue and it's going to do nothing to stop offenders from repeating their offences.

The other part of the act says, "An act to give victims a greater role at parole hearings." Let's read what the bill says. If that were the case, we'd support the idea. As New Democrats, we think it's a good idea that we give victims and other people in the public who are interested for various reasons, and the media, an opportunity to go to the parole hearing so they can hear what's going on and they are basically informed of what's happening at the parole hearing. So we support the idea and essence of the title of the bill.

But if you read the bill, under section 36.1 it says, "Victims within the meaning of the Victims' Bill of Rights, 1995"—and we'll get to that a little bit later—"and other victims of offences may participate in proceedings of the board in accordance with the regulations." There are two big words in that part of the bill. It says "may," and anybody who studies law understands "shall" and "may" have two different meanings. If the government had said, "shall have the ability to attend," it means to say that if you're a victim and you want to go to the parole hearing, you have a chance to go and nobody can stop you unless it's proscribed in law. But what you've done here is say "may," and then you said, "and we'll define when they may go by putting it in the regulations."

It's again one of those bills where the government says, "We're going to put everything in the regulations, and we want you to trust us, Mr and Mrs Opposition, because we're the government and we know best." I say to the government, I don't like the idea of passing bills that don't have the details of what they're going to do inside the legislation. Far too often you come into this House and you bring the legislation in, and all the details are in the regulations. I would argue that is not a good idea. It's basically like giving the Minister of Correctional Services a blank cheque to do whatever.

I would argue, if I read this legislation correctly and I'm a victim and the person who caused the crime against me goes to jail and I'm interested in attending the parole hearing, that the judge is going to sit there—I just came out of court today over an issue at Osgoode Hall having to do with the Collège des Grands Lacs—and the judge in that case would say, "What's the operative word in this legislation? 'May.' So it means I as a judge can decide what I want, because it says 'may.' I don't have to apply anything if I don't want to, if I as a judge believe there's a reason why the person shouldn't go before the parole hearing."

Then it says, "as per the regulations." So not only does it say, "may," but it's very limited by whatever the government is going to put in the regulations. I would argue, why don't we do what Peter Kormos tried to do in his bill. If I get Peter's bill out here, the member from



Welland-Thorold—I guess it is Niagara Centre now; it's a new riding—introduced a bill in this House that was passed. It basically said, at second reading, that anyone who has an interest in attending a parole hearing has the ability to go, point blank. So if I'm the victim and I want to go to the parole hearing at the provincial court, I have the ability to go to the parole hearing.

A member of the public who decides to go—for example, let's say it was a pedophile, and the pedophile is now coming up for parole and that person lives in my neighbourhood, and I feel nervous, as a parent, having that person released back into the community. I may have an interest in being at the parole hearing to hear what goes on, in order to be informed about who this person is and what the issues are and when the person is going to be released back into the community. There might be a case for individuals of the public who want to be able to attend the parole hearing.

The same with the media. Under Mr Kormos's bill, it speaks specifically to saying a person of the public, meaning to say either the victim, a person of the public or the media, as spelled out in his bill, would have the ability to go before the parole hearing and there would be only certain circumstances where the persons would not be allowed. You would go before the court to make application, and the only way they could exclude you is by what is set out in the legislation, not in the regulations.

What the legislation calls for is, if somebody wants to come to court to disrupt, if somebody is coming in just for the sensationalism of whatever is going on, that person would not be allowed into the court by order of the judge, but the person at least can get to the hearing and have the ability to go if they are trying to get into the court for reasons that are valid under the law.

2120

Mr Kormos's bill is quite clear. It says that you, as a member of the public, have the right to go. Mr Sampson's bill says that no, you're a member of the public and you definitely can't go. It also says that if you're the media, you can't get in at all. So there's a huge difference between the two bills, and I would argue to the government that we should support Mr Kormos's bill because it goes a lot further in dealing with the issue the government purports to deal with in its bill. The government's bill says it's An Act to give victims a greater role in parole hearings, but when we read the government bill it says the regulations will define when you get in, and you "may" get in, not "shall." So the weight of the bill is much different.

If you take a look at the bill in detail, we've got a full page for the title, inside are the explanatory notes, and there are the details of the bill, one column and a half. That's the government bill. Mr Kormos's bill, once you get past the title and the explanatory notes, has some five or six pages that deal with specific instances of how you should allow people to get in.

What's going on here? Simply put, this is a question of the government doing what they always do. They give a bill a good title and somehow we're going to feel

better. It's the same thing they've done under the Victims' Bill of Rights. The government came into this House and said, "We want to get on to law and order. We, the Conservative Party, are the law and order party. We're going to create a Victims' Bill of Rights." Great title, wow. Boy, if I'm a victim, I think I've got some rights—until you go to court, and that's exactly what happened in 1999, I think it was. An individual went to court to get those rights under the Victims' Bill of Rights, and Justice Day said, "There is nothing in this bill to give you any rights. You have no more rights than you had before the bill was passed, so what are you doing before my court?" That is basically what Justice Day said. Justice Day spelled out the Victims' Bill of Rights for what it was: a piece of propaganda on the part of the government to tell people they had rights, but in fact conferred no rights when it came to the courts.

Then the government came back and said, "OK, we're going to create a literary proceeds of crime act." That was the most interesting one because they said, "We don't want a Paul Bernardo to benefit from writing a book about the heinous crimes he committed and for which he has been incarcerated." The problem is, we had already passed a bill in this House under Cam Jackson, one of your own members, when the NDP was in power. Our government supported Cam Jackson's bill because it went far in making sure that if people like Mr Bernardo tried to write a book, the proceeds of the book would actually go to the victims' families and not go to general revenue.

So the government comes in here, introduces a bill that says literary proceeds of crime, brand new bill, Mr Harris, we're doing it again, law and order. What did the bill do? It weakened the provisions under Mr Cam Jackson's bill and said that if Paul Bernardo were to write a book, Mr Flaherty would get the money.

I say to the government, what are you trying to do here? If you're really talking about giving individuals rights as victims of crime, you certainly picked a weird way to do it. We'll support your bill because it's not going to do anything one way or another, but we would argue that when we get to committee, you should at least look at the provisions of Mr Kormos's bill—he's the New Democratic Party justice critic—and try to incorporate some of the issues in Mr Kormos's bill in this, because his bill, unlike yours, is not an exercise in public relations; it's a work to deal with actually giving victims the rights they justly deserve.

**The Acting Speaker:** Comments and questions?

**Mr Bruce Crozier (Essex):** This summer I had the opportunity to visit Kingston Penitentiary. I met with the officials there, I met some of the prisoners, and I essentially had a tour of the facility. A couple of years ago I did the same at a maximum security youth detention centre. I have to say that I don't think the length of the inmate's hair or whether there was dirt under his nails made a darned bit of difference as to whether that offender might reoffend. It had an awful lot to do, when I talked with them, about their social and

economic status. It had a lot to do with their families, how they were brought up. It had a lot to do with peer pressure, particularly with the younger offenders.

As to the legislation and the way our time should be spent around here, discussing solutions to problems, I think the legislation should deal with training and counselling, particularly for some of these young people, to make them a better person than when they went in. I agree with my colleagues from the third party. It's almost laughable that a significant part of this bill should involve inmate grooming. There's a lot more we could do to solve some of the problems we have.

**Mr Howard Hampton (Kenora-Rainy River):** I want to congratulate the member for Timmins-James Bay on pointing out just how shallow this legislation is, on pointing out that it is really a piece of empty rhetoric. Instead of offering alcohol treatment or drug treatment or literacy training or a program in anger management, or any of the things that we know may in fact be the root problem or one of the root problems of someone who finds themselves on the wrong side of the law and finds themselves incarcerated, this government, instead of addressing those issues, wants to say to the public, "If you force them to get a haircut, if you force them to have their nails cleaned, somehow they will not reoffend."

I have to say that this would have some dramatic effect on Charles Manson, wouldn't it? This is how ludicrous the government's position is. There is evidence all around us of what the real problems are. We had not two years ago a report from the youth advocate of the province who pointed out that the vast majority of youth and of young adults who were incarcerated have emotional difficulties and mental health problems. That is the root problem for them. Does this legislation offer anything in the way of emotional counselling or mental health services for inmates, to ensure that the problem that is at the base of their difficulties, that got them into trouble with the law, will receive some treatment? No. The government says, "We're going to order a haircut and a manicure and that way they won't reoffend." What hogwash.

**Mr Wood:** The most recent speaker offered many of the same comments that have been offered earlier by other speakers from his party. I don't want to repeat to too great an extent what I said in response to those remarks, but I would invite all the members who have expressed skepticism as to the effectiveness of these provisions to talk to some of the people who work in the institutions, to talk to some of the people who work in corrections, and see whether or not they think good grooming makes a difference. I think you might be interested in what their responses are.

I'd also invite members who are skeptical about this to take a look at the research and show me and other members of this House research that says good grooming is not going to help you get a job, is not going to help you work with other people. I'd like them to take a look at that research and tell me what research tells us that. I'll

be quite interested to see it. I think it may take them a while to find research that says that.

I would like to seriously suggest to these members that they may find some of these provisions to be trivial because they don't truly understand some of the problems that these people face, and some of the problems that the people who are responsible for administering the institutions face. Perhaps, once they have a chance to talk to some of the people who are directly involved in this, take a look at some of the research, they may well see that this is part of an effective overall plan to reduce repeat offending. I do invite them to take a look at the facts; it might alter their opinions somewhat.

2130

**Ms Martel:** I appreciated the comments made by my colleague from Timmins-James Bay, especially when he pointed out how ridiculous it is for the members of the government to suggest for a single moment that getting a haircut or your fingernails clipped or cleaned is going to somehow save you from reoffending. Come on, when someone goes for a job interview it's whether or not they are literate, whether or not they have a drug and alcohol problem, whether or not they are carrying all kinds of social problems—maybe they were abused as a child—it's those kinds of things that are going to determine how well they do in the work world, not whether they have short or long hair. For goodness' sake, what is the government trying to say to people out there tonight?

People in the community are not worried about whether an inmate, when he is released, has short or long hair; they are worried about whether that inmate has received anger management, drug and alcohol counselling, literacy, whether or not they have those skills, because it's those things—those really important things—that are going to determine whether or not that inmate offends again.

Let's get serious: for the government to come here tonight and try and tell the people who are watching out there that somehow this two-page bill is going to stop people from reoffending, that's offensive. It's offensive to me as someone who has actually taken a look at it, who has talked to people who worked in the correctional system. It's offensive because it is so ridiculous to assume that what is written here in Bill 60, which we are dealing with tonight, is going to somehow protect people in our communities. It is not.

Do you want to do something? Put in the law a mandated list of services that every correctional facility has to provide to inmates: drug counselling, rehab counselling. Put that in the law and then you'll be doing something about repeat offenders.

**The Acting Speaker:** The member for Timmins-James Bay has two minutes to respond.

**Mr Bisson:** I especially want to thank my colleagues who made comments, because it is really ridiculous. The government is trying to say to us that, all of a sudden, we're going to get somebody in a prison, who is an offender of whatever crime, and we're going to give the individual a haircut, a shave and a manicure, and some-



how or other that individual is going to be fine. We're going to deal with all of the issues of the past, and this person all of a sudden is going to turn their life around and say, "Ah, man. If only I could have had a haircut when I was 16, I wouldn't have turned out this way."

Come on, give it a break. It doesn't work that way. The issues are people cause crime because of things that are going on in their lives; normally because they don't have money in their pocket because they're unemployed, or they're emotionally disturbed, they don't have the education in order to get them to a real job, or unfortunately, as my leader Howard Hampton pointed out, a lot of people who fall through the cracks of our mental health system end up in the jail system, where there's no programs.

I want to tell you a story of a person in my riding: I have a young fellow who is now 16 or 17 years old, and he has really gotten out of hand. He's been in front of the police a number of times, he's been in court a number of times, and the issue is the child—well, he's not a child;

he's a teenager now—has some mental health problems. The mother is beside herself trying to figure out "where are the programs that could have helped my child when he was young?"

I know where this kid is going to end up, and it's not a haircut that's going to fix it. What's going to fix it is, when the people are young, to deal with the issues of anger management, why this child is acting out, and deal with the emotional problems this child has. She says to me, "Gilles, my kid's going to go out, he's going to do something and he's going to end up in jail. I know it." But I guess she should feel better now because the government was saying all this time that this poor woman could have fixed the problem if only she had given that kid a haircut when he was seven years old. Somehow or other, that would have fixed the problem.

**The Acting Speaker:** It being past 9:30, this House stands adjourned until 10 am tomorrow.

*The House adjourned at 2135.*

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Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 25 October 2001

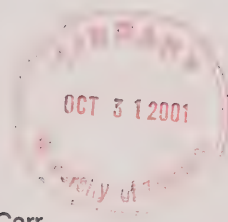
Jeudi 25 octobre 2001

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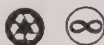
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 25 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 25 octobre 2001

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### PREVENTING PARTISAN ADVERTISING ACT, 2001

#### LOI DE 2001 VISANT À EMPÊCHER LA PUBLICITÉ À CARACTÈRE POLITIQUE

Mr McGuinty moved second reading of the following bill:

Bill 107, An Act to end government spending on partisan advertising / *Projet de loi 107, Loi mettant fin aux dépenses du gouvernement en matière de publicité à caractère politique.*

**The Acting Speaker (Mr Bert Johnson):** Pursuant to standing order 96, the member has 10 minutes to make his presentation.

**Mr Dalton McGuinty (Leader of the Opposition):** The government has asked the working families of Ontario to make do with less education, to make do with less health care, to make do with less environmental protection, but the government has done nothing to curb its own voracious appetite for spending millions of tax dollars on self-serving, partisan advertising.

Clearly, the government has broken faith with the hard-working families of Ontario, and it has broken its own advertising rules. I direct your attention to a section of a document titled Advertising and Creative Services Directive, dated July 1998, and published by this government's Management Board. This document specifically forbids naming ministers, including the first minister, the Premier, in government advertising of any kind.

The government breaks its own rules and it does so with continuing impunity. Who hasn't seen the dozens of blue and white signs along Ontario highways on which the Premier takes credit for highway construction? These signs cost hundreds of thousands of dollars.

But there's more, much more. Millions of dollars have been spent to mail colour brochures with the Premier's name and picture to the homes of Ontario's hard-working families. Millions of dollars have been spent on television ads that play on the airwaves of this province and do nothing but attempt to convince working families, with their own money. Maybe this has got to be the ulti-

mate insult to our families' intelligence. This government is trying to spin them with their own money, trying to convince people that they're doing a good job.

It seems to me that good policy speak for itself. You don't need to spin people and tell them you're doing good work for them. Let the policy speak for itself.

I have raised this issue time and time again in this Legislature, as have many of my colleagues, but the government continues to waste millions of dollars on blatant partisan advertising. We have been tracking the millions that have been poured down the drain on partisan advertising. Using the freedom of information act, we have uncovered what the government does not want our working families here in Ontario to know.

From the time it came to office until April 2000—we haven't been able to collect figures since then, but from 1995 until April 2000, this government has spent \$234.8 million of tax money on partisan advertising. Again, I find that very insulting to the intelligence of our families, trying to spin them with their very own money. Once again in this matter, as in many others, this government is making the wrong choices for working families. Ontario's working families know that \$235 million could have been used for much better purposes.

Part of that \$235 million could have been used to rehire the nurses this government fired. We've got the fewest nurses per capita in the country right here in Ontario. Part of that \$235 million could have been used to reopen hospital beds that are in short supply today, allowing us to have the beds available that we will need to properly deal with an emergency. When it comes to hospital beds per capita here in the country, we come next to last. We're just one step ahead of Yukon.

Hospital occupancy rates stand at 93% across the province and 97% right here in the greater Toronto area. The government has closed so many beds that we barely have the capacity to deal with a bus crash, let alone a real emergency. Part of that \$235 million could be used to reopen some of those beds so that they're available when we need them.

Part of that \$235 million could have been used to reopen vital health services, such as the pediatric burn unit at the London Health Sciences Centre and maybe the pediatric cardiac unit at the same hospital. Those are being closed in London because this government says it doesn't have enough money to keep them open, forcing the children of southwestern Ontario's working families to travel elsewhere for treatment.

Part of that \$235 million could have been put into home care. That's where the waiting lists are on the rise,



and these are our parents and our grandparents. These are people who are going without care in their homes, the kind of care we would argue in our party that we owe our parents and our grandparents.

Part of that \$235 million could have been used to boost our security in the wake of the terrible events of September 11. We could use part of that money to make sure our communities have emergency plans in place, to make sure we have enough firefighters and to make sure we have enough police. I think our families would believe that would be a good use of that money.

Part of that \$235 million could be used to rehire the five biohazard scientists who were fired by the Minister of Health, scientists who, together, had 150 years of expertise among them. These people were experts in bioterrorism and the West Nile virus. One of those scientists actually developed a test that was used in connection with the particular form of E coli that caused the tragedy in Walkerton. That's how valuable these people are to us. It seems to me we need these people now more than ever.

Part of that \$235 million could be used to improve our education system. Kids are going without textbooks. Class sizes are too big. The government complains our kids are not meeting the literacy standards. How about investing in books for our libraries? It seems to me that our families would embrace that kind of investment, as opposed to this waste of money that they've been putting this money into.

Part of that \$235 million could be used to rehire the environmental officers this government fired. That would help us ensure that no family in Ontario loses a son or a daughter, a mother or a father, a grandfather or a grandmother, the way seven families in Walkerton did simply by drinking the water that came from their taps.

This government is addicted to partisan advertising. We believe on this side of the House that it's time for an intervention, and we're here to help the government because it seems to be incapable of helping itself. That's why I've introduced this bill.

1010

My bill would make it the law of the land that the government can use advertising to inform the public about public services such as immunization programs. They could also use advertising to discourage the public from certain forms of social behaviour, like drinking and driving. But it would make it illegal for the government to inflict blatantly partisan advertising on the working families of Ontario.

It would make it illegal to use government advertising to try to create a positive impression of the government. It would make it illegal for this government to use tax dollars collected from Ontario's working families and use their own money against them, to try to convince them the government is doing a good job.

Again, I say good policy speaks for itself. You don't have to spin people and try to convince them the government is doing a good job. People know whether or not a government is doing a good job.

My bill would make it illegal to use advertising to try to create a negative impression of people or groups that are critical of the government.

My bill would make it illegal to promote the image of the Premier or a cabinet minister. That means no more road signs, no more brochures, no more newspaper ads and no more television spots with the name or the smiling face of the Premier of the day beaming down from on high on all of us.

My bill would make it the responsibility of the Provincial Auditor to decide whether ads not yet made public meet the legal standard, and he would also have the responsibility to review complaints made about ads already made public and, if necessary, to hold an inquiry.

An important feature of my bill would make it the law that each and every government ad must include a prominent notice reminding taxpayers who paid for the ads. That means every ad would have to state clearly and state plainly "paid for by the taxpayers of Ontario."

My bill spells out what every government should know. Every government should know that it must not abuse the public trust and use hundreds of millions of tax dollars to convince the working families of Ontario that it's doing a good job.

Sadly, this government has abused that trust time and time again. This government has broken its own guidelines time and time again. Now I want to make it the law. I want to make it the law of the land that government spending on partisan advertising is forbidden.

My bill would make it the law of the land that partisan advertising, bought by the government and paid for with tax dollars, is never again inflicted on the working families of Ontario.

Partisan government advertising is a disease, and I have the cure. My bill is the cure.

I urge all members of this House to support my bill, but I particularly urge those who see themselves as would-be premiers. I think the public will be looking to them when it comes to this very important matter as to where their values lie, where their priorities lie, as to whether they're on the side of government advertising or on the side of working families.

**The Acting Speaker:** Further debate?

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to speak this morning on behalf of our caucus.

*Interjection.*

**Mr Dunlop:** I tried to be polite and listen to Mr McGuinty's remarks and I wish you'd do the same, member from South Park.

The Liberals have not done their homework on this bill. Obviously, they haven't. They have no interest in implementing measures which truly hold the government accountable to the people of Ontario. I would have thought that if they had started anywhere, they would have looked at partisan advertising from their colleagues in Ottawa.

*Interjection.*

**The Acting Speaker:** The member for Sarnia-Lambton, come to order.

**Mr Dunlop:** It's very interesting to watch this. I've watched: even after the writ was dropped in the federal election last year, partisan advertising continued in the federal government.

Compare this to a government that has implemented the sunshine bill, the Taxpayer Protection Act and the Balanced Budget Act. I think the contrast is striking. Actions do speak louder than words.

This bill is unnecessary. According to the text of the bill, the Provincial Auditor would be responsible to judge whether or not the government has violated the criteria set out in the bill, preventing partisan political advertising. To begin with, there is a problem with the lack of definition over what constitutes advertising. This is a huge problem. I would assume this would cover TV spots and newspaper spreads. Might it also include direct mailings to people across Ontario, to constituents? What about Web sites, letterhead and business cards?

*Interjection.*

**Mr Dunlop:** What about it? You're right.

If the Liberals are so interested in eliminating taxpayer dollars being spent on partisan political ads, why don't they stand up and tell us about what they're doing in their own party? All members will know that they are allocated a global budget and they can use that budget to publish householders for their constituents. These are legitimate publications; we all print them. They are a valuable way for us to communicate with people in our ridings. But there is no real oversight on how money is spent in terms of content. It can contain names of members, certainly faces, and it can support initiatives by the government or it can slam the government, and that's obviously done in some of your householders.

Would the Liberals be willing to have some sort of oversight body to verify these publications to ensure that they are spending taxpayer dollars in a non-partisan manner? Would that be included in the bill?

This might seem to be taking it to extremes, but without a clear definition it makes it impossible for the auditor, as in this case it may be, to tell what the Legislature meant with the bill. If passed, this would do no more than to muddy the waters surrounding the issue.

In addition, the bill would place an inappropriate burden on the office of the auditor. The auditor has no traditional experience in this area. Auditors typically have experience in tracing dollars and cents and, in the end, determining whether or not the people of Ontario have received value for their dollar. They also have a wide range of skills in looking at business plans and business cases to see if ministries and agencies did their homework in looking forward and doing the best with their resources. What auditors do not have experience in is detailed analysis of marketing and communication plans and whether one can reasonably be expected to get the intended result with an initiative. This could have a serious impact on decisions that would come from the auditor's office.

We all have a vested interest in ensuring that decisions that flow from whatever oversight body controls ads are made in a consistent manner.

*Interjections.*

**The Acting Speaker:** Order. I can't maintain order in this House without gypping the speaker of his time. If you would like a last warning, consider that given now.

**Mr Dunlop:** It does no good for decisions, and hence policy, to meander and weave along without some coherent structure for analysis. We are then left with a piece of the puzzle that has no logical fit with the rest of the organization. This means more inflated bureaucracies and new red tape, and of course our government is trying to eliminate red tape. Compare this to the Advertising Review Board, which has real experience and expertise in the advertising and marketing field. It has the traditional ability to evaluate all facets of an advertising plan, and analyze and make recommendations and decisions as to appropriateness and cost-effectiveness of an advertisement. If the Liberals like this approach so much, why didn't they pass such a bill when they were in power?

Typically, the parties across the way tell you that we spend millions in advertising. Not surprisingly, they fail to tell you how much they spent on advertising when they were in government. So let's do some of the numbers. If you adjust for inflation, the Liberals spent \$355 million and the NDP \$350 million in the Peterson and Rae jurisdictions. Why doesn't Mr McGuinty stand in his place and tell us what he thinks the David Peterson government should have done with the hundreds of millions that it spent on advertising? Maybe balance the budget? Maybe avoid higher taxes and a mountain of debt that threatened to cripple the economy and a monstrous drag on the economy of this province?

Mr Speaker, thank you for allowing me this time this morning.

**Mrs Sandra Pupatello (Windsor West):** I'm very happy to address this bill from my leader, Dalton McGuinty, who for a long time now has advanced the notion that government partisan advertising has no place in the Ontario government. We've watched this government since 1995 cut services that we feel are paramount to the civil service and what the general public expects, while at the same time spending foolishly in areas that they can't even defend.

The other day a friend of mine who is a regular hunter called up and left me a voice mail saying, "Can you believe that even in the hunters' magazine Mike Harris has got to splat his picture all over the place?"

1020

After many of the MPPs who have apartments here in the Toronto area have been away over the weekend, they come back to find the pile-up of mail through the door, and you just wade through all the garbage sent by the government of Ontario. If, at minimum, it was useful information, that would be one thing, but it is Janet Ecker, the Minister of Education, and the Premier of Ontario talking to parents about the fact that—I don't see it mentioned anywhere that they don't have textbooks if they're a grade 11 student; I don't see any mention of the fact that classrooms are still much larger than the parents ever expected. Yet the only thing you will find is what they



are trumpeting that they have done for the public education system since they've taken over the government.

Truthfully, parents are not stupid. Parents look at this and say, "How much did this thing cost? It's got glossy pages, all fancy. I thought you guys were the tax-cutting guys. I thought you were the wise spenders." Well, that bloom was off that rose a long time ago because the reality is that you have spent money lavishly praising yourselves. I think you're having a hard time finding anyone else out there who's going to praise the work of this Ontario government, because everything, and in particular in the area of health care, that you have done has been done with the biggest mismanagement of all time.

My community is the best example of that. When we hear Dalton McGuinty talk about over \$200 million being spent on partisan advertising, I know in my home community the operating deficit this year alone of Hotel-Dieu Grace Hospital is \$17 million. I spent this past season, just before the House resumed, meeting constituents who told me stories about their family member in a hospital bed. Their dinner plate came and went from the hospital room and the patient didn't eat because their teeth were in a glass and there was no one to check that that patient ate. That's what I listened to in my home constituency office.

I listened to them about the adults who've been diapered in their hospital bed because there aren't the nurses to get them to the bathroom in time. So that they don't mess the bed, they diaper these people, who are fully capable of going to the bathroom independently.

Those are the stories I listen to in my constituency office while Dalton McGuinty tells the world that you spent over \$235 million on partisan advertising so that you can tell the hunters of the world what a fabulous job the Premier is doing.

We speak to parents all the time. Just before the House resumed I met with parents who know they don't have the aides their children require to be in the classroom. I've talked to teachers who know they're not able to cope with the numbers of kids in their classroom, who don't have the supports for that teacher to teach properly all the kids in that classroom. Those are the stories I listened to before we got back here when the House resumed at the end of September, and yet I continue to receive through the mailbox slot brochure after brochure with glossy pages of a smiling Mike Harris.

I think all of us recall when they started putting up those big blue signs by the highway, and how many of my Liberal caucus colleagues just about ran off the road to knock those signs into the ditch. I can tell you I came close on several occasions. Instead, what I did in my community was make my own big blue sign and put it by the side of the road. It said, "Here's the Mike Harris government. Hospital cutbacks: we've gone from four to two. Emergency rooms in my community: we've gone from four to two." Now we have people waiting in an emergency room.

I remember sitting in this House and sending a sheet of paper around to all the MPPs: "Eighteen days to go."

Then the next day it said, "Seventeen days to go." Do you know what that was for? That was to warn the Conservative MPPs of how many days to go before we lost yet another emergency room, before we had ambulances literally rolling patients in the gurney down the ramp to get into the emergency room because the remaining hospitals didn't have the ambulance bays to pull the truck into—all of it entirely predictable. And all the while, that brochure keeps coming through the slot of that door, the fancy colour brochure with a smiling Premier.

I drive on the highway every week more than once and see those ridiculous big blue signs that say, "Your tax dollars at work," and I remember the meeting that I just left in my constituency office about adults being diapered in a hospital because we don't have nursing staff. That is what happens in my community. That is the juxtaposition between people who need good government service and the dignity of good health care and then these signs by the side of the road that they dare spend money on, signed by Premier Mike Harris, to tell me that that's the road. Is that because there are so few roads left not downloaded by this government, and the rest are all the responsibility of the municipality? That's what we've had to watch in my community.

You can imagine how galling it is for parents to get that education brochure when their kids come home, knowing they've got to share a textbook because they don't have enough textbooks for the new curriculum imposed by this government. That's the juxtaposition in my community.

Every time we see these ads—God, we've just had the most dramatic event on September 11 that I have seen in my lifetime, and even still, with this world event that shattered the innocence of our country, we have to look at every major newspaper in the nation—at minimum in Ontario—and I've got to turn it open to see that Mike Harris takes out a full-page ad to say what? What kind of action has this government taken? Have they taken action to assist us in Windsor, whose entire community, practically, is bound up by what happens on the trade corridor at Windsor-Detroit, at the Ambassador Bridge or the Windsor tunnel? Instead, I saw hundreds of thousands of dollars spent on a newspaper ad, instead of reviewing what our community really needs: assistance in securing the bridge, assistance in securing the tunnel. You know, they shut down GM world headquarters on September 11, which is right across the river, a mile away, in downtown Detroit. That had a huge impact on Windsor. They shut down the bridge and tunnel immediately, and when things like that happen to Windsor, things stop cold. All of our tourism industry still is staggering under the weight of the September 11 attacks. And what do I see instead? Full-page ads by this government. It is unacceptable, and under a Dalton McGuinty government it will stop.

**Mr Michael Prue (Beaches-East York):** I allowed myself the opportunity of passing, because I wanted to hear what the Conservatives had to say on this bill. I'm going to stand here to tell you that the NDP will be

supporting the bill put forward by the Liberals. It is an idea whose time has come.

I have listened to the speakers, the two from the Liberals and the one from the Conservatives, and both of them are right in what they say and both of them are wrong in what they say.

Can the Conservatives deny the orgy of spending that has taken place by them over the last number of years? We've done a little research and, just as an example, since June 2000—I'm not going back before that—there was an attack on teachers which cost \$200,000; in July 2000 there was a welfare pamphlet that cost \$782,000; in August 2000 there were Living Legacy TV and newspaper ads, \$1.3 million; in August 2000, a radio ad, "Ottawa Can Afford to Loosen Its Purse Strings," \$300,000; spring of 2000, anti-federal-Liberal health care TV ads, \$5 million; September 2000, an education pamphlet, \$2 million; November 2000, an Economist "Chairman Mike" ad promoting the Premier, \$60,000; December 2000, high school scholarships, \$127,000;

December 2000-January 2001, health care ads for a booklet not yet produced, \$740,000; January 2001, On report, \$1.12 million; January 2001, one-week newspaper campaign to tout Conservative aid to Toronto, \$200,000; January 2001, a leaked submission to cabinet reveals that the Conservatives plan a multi-million-dollar ad campaign promoting provincial parks to counter public concern about lack of protection of the environment; spring 2001, On report, \$1.15 million; March 22, 2001, Tele-health TV ad, nearly \$1 million; August 2001, teacher testing and literacy education ads, \$6 million; October 11, 2001, full-page advertisements in newspapers across Ontario to assure readers of the actions the provincial government is taking, \$1 million.

1030

No one can deny that this money is being spent and how it is being spent. They're spending it. Can the Liberals deny—and I heard what the Conservatives had to say—that the federal Liberals in Ottawa are doing exactly the same thing? Can they even deny that when they were in government they did similar—

*Interjection.*

**Mr Prue:** Please. Can they deny that when they were in government, they did similar things? Can even the NDP deny that when they were in government, they spent money this way? I am not going to stand here and defend any government in the last 20 years, be it Conservative, Liberal or NDP, for the money they spent in promoting their own causes.

What I am standing here to tell you is that this is an idea whose time has come. The time has come for all of us, from all parties in this House, to say we can no longer waste the money that the taxpayers put forward on partisan political ads. The reality is that it produces cynicism; it produces, out there in the public, people who think the government is wasting their money. They believe it is being wasted because they no longer believe the advertisements.

All of us, if you look at the billboards, if you look at the TV, if you look in the media, are bombarded every day with advertisements. Most of us tune them out. Most of us do not believe them. When we do believe them, we laugh about them, we do so only as a joke—I guess something in our subconscious mind. But when you see something that angers you, when you see an ad like the provincial Tories are doing now and which undoubtedly other parties will do in the future if we don't stop it, it produces that cynicism.

You can look in today's paper. There are two telling points on this very topic. One is that the polls the Toronto Board of Education has done show that the public is not fooled by the education ads. They have not been fooled even one iota. Most people do not believe the ads that say everything is wonderful in the schools. In fact, the majority of people know that it is not true.

The second one is an article by Mr Coyle in the Toronto Star in which he outlines, I think really quite well, his distaste and disgust for the money that was spent on educational ads, particularly the little book On, and how that money has failed to do what was necessary to produce the appropriate educational results or the public's acceptance of those results.

The money is being wasted. It can be used to far better purpose. The NDP—and Peter Kormos is here now—has a bill which we think is superior to that which is being put forward by the Liberals. It is far stronger. But in the spirit of co-operation and in the spirit to let everyone know that this needs to be done, we are going to support the Liberals' bill, even though we think ours is better. We are going to ask that it go to committee, and we are going to make the necessary adjustments to the bill in committee to make sure that the strongest possible message is sent to the people of Ontario, the strongest possible message that we must curtail the wasteful spending on partisan ads. We must put the money instead into those places that need it: into the schools, into the hospitals, into the environment, into the thousand things that this government should be doing.

In the meantime, we are asking that the members on the opposite side, on the government side of the House, take to heart that this is something that has to be done. No one is blaming you. I do not blame you any more than I blame the previous NDP or Liberal governments. It is a disease that we have all succumbed to, it is something that we must put an end to, and the end must be brought now.

Mr Kormos, I hope, will be speaking later. Yes? Is it appropriate, Mr Speaker, for me to relinquish the rest of the time?

*Interjection.*

**Mr Prue:** Then I think I would do that for him now. He can explain in more detail what his bill would say.

We would ask all members of the House to stop once and for all, to put an end to this partisan bickering and an ongoing problem of government advertising.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to rise and join the debate on this bill.



In a democracy, a government has an obligation to not only put forward solid public policy but to effectively communicate with the people of Ontario, in whose name we act. I would say a case in point with respect to the information—they call it advertising—we communicate to the public, for example, is getting a free flu shot, providing information to the public in terms of what the program is about and how to get that flu shot. Certainly that's something the public should know. Also, dealing with Telehealth Ontario, information with respect to providing that program to the public has to be communicated. When you deal with that type of information to the public, they need to know that and they have a right to know it.

Dealing with this bill, the bill is really not an alternative. It's very vague and lacking in detail. You go through the bill and in one part it says "advertising standards," very objective in terms of what they're trying to accomplish here but with no definitions in terms of what they're trying to accomplish.

It says, "The advertising must not have as a significant objective,

"i. fostering in the public a positive impression of the government, or

"ii. fostering in the public a negative impression of a person or entity that is critical of the government."

Then the process that is set out is through the auditor. The auditor becomes an adjudicative body to deal with advertising. What are we trying to accomplish here? I think the bottom line is that when you're dealing with a bill like this, which is terribly weak—obviously the name of it speaks to the reason it's coming forth, partisan in nature—you have to know what you're talking about before you can have a reasonable discourse. This bill fails to define a single word in the title, which is a good indication that it is going to be a weak bill in terms of what we have here.

It talks about "partisan" and just leaves it at that. It says, "The advertising must not be partisan." That's one of the other standards among the six standards they have there.

I think what they're trying to do is to deprive the public of their right to know. This is the process they want to put in place to make sure everything is vetted as to what the public has a right to know. Certainly, looking at their track record and the federal government's track record with respect to communicating with the public, about a year ago the federal Liberal government in Ottawa commissioned a study that showed only 14% of the people found that they received enough information from their government. That's like saying that out of the population of Ontario, all 12 million of us, only 1.7 million people felt they were well informed, roughly the population of the city of Toronto, minus North York and a bit of Scarborough. That's just not acceptable.

I think this is cheap political game. The bottom line is that the information the public has a right to know is being given to them. The public want to know what the government is doing in terms of programs that will

benefit them. They don't want to be straitjacketed by a process of standards that the auditor, whose main focus is to deal with financial matters, not to be an advertising censor, would be dealing with.

I'm going to close. Basically the opposition side should be looking at what they've done in the past and at what they've said. I think the member for Waterloo will deal with that.

1040

**Mr James J. Bradley (St Catharines):** I'm not surprised by the speeches I've heard from the government side, but I am saddened by them, because I think the Thursday morning exercise at private members' public business is one where we, as independent members, can make a judgment and make some changes. All we're getting is a defence of something that is, frankly, indefensible. Regardless of which government you're talking about or what political party, I think you have to put an end to this kind of what I would call partisan advertising, whether it's federal, provincial or municipal.

The Harris government got elected promising to eliminate unnecessary expenditures, and yet we've had over \$235 million spent on what I think any objective observer would see as partisan, self-serving, self-congratulatory advertising. Let me tell you that there is legitimate advertising that can be done. The member for Barrie-Simcoe-Bradford mentioned, for instance, the flu shot. That's quite legitimate. That's good advertising, good information. When a committee is coming to a community and wants to have public hearings, that's quite legitimate. So there is a role to play in terms of information. I think what objective observers would say about governments, and we're dealing with this government at the present time, is that clearly they abuse public office by blowing millions upon millions of dollars on self-serving advertising.

The Conservative Party has a lot of money to spend, if it wants to, on advertising. It's the richest political party in Canada at the present time. It has been well rewarded by its corporate and wealthy and powerful friends for bringing in policies that benefit them. The Conservative Party has enough, and if they wish to spend that money on advertising, I cannot complain.

We judge governments and people based on what they do when no one is looking or when they can get away with it. Clearly there is a reason you get away with it. The people who own the news media outlets make money from your advertising. When you had the full-page ad in any of the newspapers—this is the Toronto Sun but it was in all the newspapers—they benefit immensely from that. They're struggling, as other people are, in terms of advertising revenue. So television stations, radio stations, newspapers and magazines are not going to devote the attention to this issue that I believe they should, and are not going to be as critical as they should, because it is their bottom line, because they benefit from it.

We've had full-page newspaper ads, we've had ads in magazines, we've had the glossy brochures that show up

at our house, the *On* magazine that from time to time shows up at our house, all with the Premier's picture in it, all with the message from the Premier, and all paid for by the taxpayers of this province. We even had ads that attacked members of the teaching profession when Bill 60 was at issue. If the Conservative Party wanted to spend money on that, that's quite legitimate. I don't think it's appropriate to use taxpayers' dollars to do so.

Peter Desbarats, who is a professor of journalism, I think a highly respected person, at the University of Western Ontario, wrote a good article on this. He said it's not even so much the amount of money; it's the nature of the advertising we're seeing. Whether it's the federal government or this provincial government or any other jurisdiction, what we're seeing is governments illegitimately using advertising dollars for the purpose of promoting their programs.

Does the Premier have the right to speak in this House? He certainly does. Should he call press conferences and have gatherings of the news media to listen to what he has? Most certainly. Can the government put out press releases? Yes, they can. Can the government put out backgrounders for everybody? Yes, they can. That's quite legitimate; that's how we should communicate. But what we're seeing is an awful abuse of public office. I think we have to see it stopped and this legislation certainly points in that direction.

I've also had a beef with the government over advertising during by-election campaigns. During every one of the by-elections, this government has had a government advertising campaign going. The fear is they would do that even during a general election campaign, again using taxpayers' dollars to promote Conservative Party policies and programs.

The British have a board that is set up to review advertising. I was watching a program called *Undercurrents* with Wendy Mesley, and it was on government advertising from various jurisdictions. It mentioned that in Britain there was a board that looked at it. I think the rule was, if I'm not mistaken, that if the board said the government was advertising in a partisan nature, then that political party had to pay for those ads instead of the government. They showed this individual, who's quite objective, a person who's not in a particular political party, the Ontario government ads and said, "Would these pass as a non-partisan ad?" He laughed at the ads and said no way, of course, would they.

To me, this government advertising is first of all wasteful of taxpayers' dollars; second, it's unfair because it gives the government an unfair advantage over an opposition. Each member of the Legislature has an opportunity to put out a report to constituents. I haven't done so for a large number of years, but other members have, and that's fine. Both sides of the House have that opportunity. But what we have here is the government stacking the deck in its favour. So it is wasteful, in my view, an abuse of public office and just not right to have this happening.

We as individual members of the Legislature have a chance to put a stop to it. You have an opposition party

leader, Dalton McGuinty, putting this matter forward today. If you pass this bill, then it is incumbent upon any subsequent government, be it Conservative, Liberal, NDP or some other party, to live with that legislation. So we have a good opportunity to do it today. I hope we don't just have the regular government speeches given to members to read into the House, but that members look independently, as individuals, at a real problem that has permeated so many governments over the years, and today right across this nation other places. We have a chance to end this abuse by passing this legislation, and I appeal to members to do so.

**Mr Peter Kormos (Niagara Centre):** Right off the bat, New Democrats support this legislation. We support it enthusiastically. In fact, our enthusiasm is demonstrated by our bill from before, though subsequent to the Liberal bill, which addresses the same issue in a modestly different way, but that's not a matter for debate right here and now.

Look, I'm dismayed by the comments coming from the government benches. They clearly don't understand what has gone on and what's going on. The litany of references to previous governments and to current governments is not an argument against the bill; it's an argument for the legislation. They indicate how important it is for legislators, who are members of this Assembly, to seize this moment and create some guidelines and standards for government advertising and the use of taxpayers' dollars.

Let's understand the genesis of this whole process. It came from the Provincial Auditor. It's the Provincial Auditor who called upon this government in 1999 by virtue of the recommendation in his annual report. It's the Provincial Auditor who said that guidelines are needed. This does not abolish government advertising. As a matter of fact, it in no way restricts the capacity of this government or any subsequent government to use advertising, to use any medium available to it; it doesn't restrict any government in any way from using those media to convey information that it deems appropriate to the public. It merely establishes guidelines to ensure that once this legislation is passed, this government cannot, nor can any subsequent government, ever abuse the taxpayer funds it has access to in the course of advertising; and it ensures that that advertising will indeed be for the purpose of communicating important information to the public and not for advancing partisan interests.

What's interesting is that the concerns of the auditor were communicated to the Secretary of Cabinet way back in 1998. The Secretary of Cabinet in 1999 expressed appreciation to the Provincial Auditor for his observations about the need for guidelines. But, alas, we've seen nothing from this government, nor from any of its backbenchers. Everybody should be concerned about the use of public funds to advance partisan interests.

Mr Bradley made reference to the capacity of members to publish what we call "householders," pamphlets that are distributed, newsletters, newspaper advertising, whichever format you want to use. Some members use



full-page ads in their local newspaper to replace what would have been historically the door-to-door distribution of these householders. All of us already live under some pretty clear guidelines about what we can and can't include those householders. And there are more than a few members of this Assembly who've not only been chastised but been forced to look to some other sources to subsidize maybe just a portion of that newsletter when that newsletter has crossed the line into partisanship.

**1050**

It's a simple process. It's one that we all accepted. It isn't onerous in terms of the amount of resources required to screen these newsletters. In fact, as we all know, non-partisan staff from the broader bureaucracy are available to us to vet newsletters or portions of newsletters, or communiqués by individual members that are paid for from that member's budget. Staff are available to quickly vet any material and advise us as to whether it crosses the line into partisanship. That's only fair. I accept those guidelines and accept those standards. I advocate those guidelines and standards. I ask government backbenchers today to approve those similar standards because it effects the guideline approach. It's nothing more, nothing less than that.

We in the New Democratic Party indeed have proposed in our bill some guidelines in addition to those contained in the opposition bill. One example, very briefly, is the fact that the government advertising that's paid for with taxpayers' dollars should relate only to matters for which the government of Ontario has direct responsibility. You'll recall the ad in which the province of Ontario took credit for federal funding. We would propose that that guideline be added to legislation which establishes guidelines for government advertising, because quite frankly, that type of advertising, at the very least, is dishonest. Why would any member of this assembly, government or opposition member, want to lend their name or support, even implicitly, to dishonest advertising by the government or by anybody else?

I also ask government backbenchers to consider this. It's regrettable but it's true. This type of legislation is unlikely to come from a government that's in full flight, or in full retreat. This type of legislation is more likely to come from opposition members or opposition parties. That's the nature of the beast. Let's understand this: governments of all levels, of all stripes have become as addicted to government advertising for partisan purposes as they have to the revenues from casinos and other forms of gambling. That observation doesn't make either of them right.

This assembly today has a chance to approve in principle the need for guidelines for the government utilization of taxpayer dollars in the course of engaging in government advertising. I ask this assembly to send this bill to committee. I will be asking the opposition to accept as amendments the additional guidelines contained in the New Democrats' Bill 115.

Let's put this matter to committee. Let's put this matter to the public. There's but an hour available to us

today. Have the courage to put this matter to the public and then determine whether or not you let this bill enter the House for yet a third time.

**Mr Wayne Wettlaufer (Kitchener Centre):** Listening to the debate today lends a whole new meaning to saying one thing and doing another. I can't help but be very little impressed by the arguments on the other side.

I'd like to point out that the Liberals had a directive that disallowed the use of ministers' names and faces in advertising, but they ignored that directive. When they were in government, in spite of the directive that they had, a number of their ministers and their Premier put out advertising in contravention of their own directive.

The first one I have here is from the member from St Catharines, Jim Bradley, when he was minister. I have one here from the member for Scarborough-Agincourt, Gerry Phillips, when he was minister. I have another one here from the member from Thunder Bay, Lyn McLeod, when she was minister. I have another one here from the Honourable Alvin Curling, when he was Minister of Housing. And here's another one from David Peterson, when he was the Premier. I have sent copies of these over to Dalton McGuinty—in contravention of their own directive.

The NDP also, very conveniently, repealed a cabinet directive so that they wouldn't be found in contravention of their own directive. Then, after they were done with the advertising, just before they came back to power in 1994, they put it back in. The ones that I have from the NDP are from Howard Hampton, Shelley Martel and Frances Lankin; and I've also provided the NDP with those.

Constantly people in Canada are saying that they do not get enough information from their governments. In fact, recently 14% in Canada indicated that they receive enough information.

*Interjections.*

**Mr Wettlaufer:** I was very quiet when the Liberals were making their arguments, but they won't shut up over there right now. They don't like hearing facts. They like to obfuscate things.

*Interjections.*

**Mr Wettlaufer:** You may have trouble with that word, do you? It's confusion. I realize that you may not be able to understand some of those words, but most of the people over here do.

I do want to point out that in this bill put forward by the Liberal leader there is no definition of "advertisement." There is also no definition of what would constitute partisan advertising. But there is all kinds of room in this bill to provide for regulations. The Liberal leader knows full well that they would be the ones, that cabinet would be the ones who would regulate, and based on their experience, I can tell you that is not the way we would want it done.

Let's take a look at the Liberal experience. First of all, I would say that what they're trying to paint is less than accurate. Did you know that, adjusting for inflation, the Liberals spent an average of 22% more per year on

advertising than this government? The NDP spent 20% more.

The Provincial Auditor, in 1988, criticized the Liberals. He said, "Excessive costs were incurred and taxpayers often did not get proper value for money." The auditor further said the Liberals "wasted" \$30 million worth of taxpayers' money.

Recently, John Downing of the Toronto Sun reminded the Liberals of their lack of credibility when he said, "Provincial Liberals would be more believable if they hadn't done the same when they ruled."

I wonder if the Liberals watch their own federal cousins, who launched a \$90-million public relations fund to get their message heard in non-Liberal areas. I had to laugh when I read that John Downing also said that the federal government "is right up there with the soap giants and auto manufacturers in pitching product." That's federal Liberals too.

I'd like to say what Murray Elston said, "From time to time there is a need to make information available to the public"—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the member's time is up.

The leader of the official opposition has two minutes.

**Mr McGuinty:** I want to begin by thanking my colleagues in the NDP for their supportive comments. I appreciate those. As for the members opposite, I really felt for them, because they've been sent out here with very specific marching orders. They've been asked to defend the indefensible. It is an impossible task and it was embarrassing for me to have to see them do that. I know that had they had the opportunity to express that which was in their hearts, had they had the opportunity to go out and make this argument in a crowded, heated room inside their constituency, something tells me that they would not be particularly well received in making the argument that investing \$235 million in partisan advertising is somehow in the greater public interest.

1100

The members opposite have made reference to the fact that previous governments of all political stripes have advertised in an inappropriate way. You know what? I agree. But it was wrong then and it's wrong now, and we have an opportunity to stop it once and for all. It's as simple as that. That's the crux of the matter. It was wrong then, it's wrong now, and we have before us the opportunity to fix it. If they feel that there are some problems connected with some of the details in the bill, then I would be delighted to move this on to committee and receive friendly amendments so that together we might improve this to the benefit of our working families. That's what it's all about.

The principle here is very, very simple: is it appropriate? We have a very knowledgeable citizenry. We live in the information age. There are 50 million Web sites and 500 TV channels. Is it really appropriate today to invest taxpayer dollars of any amount in partisan political advertising? In no matter what quarter you might happen to visit this question, whether you're talking about busi-

ness, labour, government or our single most important constituency, our working families, I think the answer will be a resounding, "No. It is an inappropriate way to spend money. Instead, fix my health care, fix my education, make sure the kids can trust the water and make sure the air is safe."

**The Speaker:** The time for this ballot item has expired. I will put the question at 12 o'clock

## INQUIRY INTO POLICE INVESTIGATIONS

### OF SEXUAL ABUSE AGAINST MINORS IN THE CORNWALL AREA ACT, 2001

#### LOI DE 2001 PRÉVOYANT UNE ENQUÊTE SUR LES ENQUÊTES POLIÉRIÈRES RELATIVES AUX PLAINTES DE MAUVAIS TRAITEMENTS D'ORDRE SEXUEL INFLIGÉS À DES MINEURS DANS LA RÉGION DE CORNWALL

Mr Guzzo moved second reading of Bill 48, An Act to establish a commission of inquiry to inquire into the investigations by police forces into sexual abuse against minors in the Cornwall area / Projet de loi 48, Loi visant à créer une commission chargée d'enquêter sur les enquêtes menées par des corps de police sur les plaintes de mauvais traitements d'ordre sexuel infligés à des mineurs dans la région de Cornwall.

**The Speaker (Hon Gary Carr):** Pursuant to standing order 95(c)(i), the member has 10 minutes for his presentation.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** This bill basically parallels Bill 103, which was debated in this House a little over a year ago, on October 12, 2000. I have burdened the members of this House with documentation and reports, and I'm at the point now where I almost want to apologize for it. But the background and the history is most important and, notwithstanding the fact that I went through it a year ago, I think it's essential that I repeat and take the first few minutes to go through the history of what has happened and what we're talking about here.

Contrary to what you may have read in a couple of publications, this is not a vendetta, this not an effort to get at anybody. This is a matter of police investigations. There have been two or three police investigations to date. The first one took place in the early 1990s by the Cornwall police department. They did a review of their own procedure and found that there was nothing amiss, notwithstanding the fact that there were no charges laid. They could find no evidence to lay any charges with regard to the sexual abuse of minors in the 25 years preceding that investigation.

When the public refused to accept that opinion, the Ontario Provincial Police were called in and they did a review. In between that time, the Ottawa police force was asked to look at the situation, and it agreed to take a six-month period to investigate. After six days, notwithstanding



ing that they had assigned two officers, they withdrew. The OPP investigation was concluded in late 1994, and on Christmas Eve of 1994, of all days, a press release was issued indicating that there was nothing amiss and no charges were to be laid. A most interesting day to choose to issue a press release—Christmas Eve.

The citizens' group in Cornwall was not satisfied. They took it upon themselves, using their own money, to do an investigation of their own, and they did a thorough investigation and must be commended. As a result of that and the evidence they found, evidence was served upon the Attorney General and the Solicitor General of this province on April 8, 1997—affidavits, statements, documentation, registration slips from a fleabag motel on a pedophile strip in Fort Lauderdale—that confirmed the presence of people who were alleging that they had been abused and had been taken down there to be abused in the company of some very significant people in the Cornwall area. The registration slips confirmed that and were served on the Attorney General and the Solicitor General. As a result of that, Project Truth was then set up.

Miraculously, Project Truth has laid approximately 117 charges against 16 or 17 individuals, all of which charges took place long before 1992 and 1993 and were completely missed by the Cornwall police in their first investigation, completely overlooked when they did a review of their own investigation and completely missed by the OPP in their investigation. Miraculously, when the citizens' group does the work and produces the evidence, 115 charges.

There are some people, myself included, who think there should be another 115 charges against another 15 or 20 people. There's reluctance to proceed on those. We'll deal with that later. The reluctance there is no greater than the reluctance to deal with the first 115 charges.

As a result of Project Truth, we've had some startling evidence. In August of this year it was reported for the fifth time that Project Truth would be wound up. At that time, it was stated there was no evidence of a pedophile ring. I don't know how you define a pedophile ring. But in trials this fall, one individual charged, a Father Lapierre, who was not believed by the court—Mr Justice Lalonde made it very clear: "I don't accept your evidence. I believe the alleged victim but I can't convict because I'm not convinced beyond a shadow of truth."

Father Lapierre said, "I did not abuse any children, let alone this accused. But I was here in the 1960s. I knew it was going on. I heard other priests talking about it." He fingered his own brother, Father Hollis Lapierre; he's dead now. He fingered Father Martin, who was coming up for trial the following week. "But not me." The first time we'd ever had an admission.

The OPP can't find any evidence, no evidence. They didn't say not sufficient evidence, they said there's no evidence. Six judges heard different preliminary hearings and trials and they have all found the evidence of the accused having been passed from probation officer to crown attorney to coroner to priests to judges very credible, but that's not a ring. I don't know how you define a ring.

But that's what Father Lapierre said under oath. The crown attorney said to him, "Did you report it to your bishop? Did you report it to the police?" "No, I didn't do that. That's not my job. I'm a priest."

Father Martin, the next person charged under Project Truth, coming to trial in Cornwall this fall, admitted getting into bed with the accuser. The accuser said he kissed him and fondled him. He said, "No, it's 2 in the morning, the night before a ski trip. I got into bed to comfort him because his grandfather had died five months before." The judge has reserved on that case. We don't know the decision.

But we do know this, that Mr Lawrence, the piano player at the Parkway Inn, testified that Father Lapierre and another priest delivered the accuser—who is now a lawyer in Quebec City, I might add, a very credible individual—14 years of age, to the bar for his last show. They provided liquor to the 14-year-old. That is not denied. And they sent him home with Mr Lawrence. The boy said he serviced Mr Lawrence for three and a half years almost on a weekly basis. Mr Lawrence says, "That's not true. I only had two sexual encounters with him: one at the boathouse that night and another I don't recall when." But he admits to two. He was delivered to the bar at 12:30 in the morning. He had been turned over to Father Lapierre by the coroner and introduced to the coroner by the crown attorney, but there's no ring.

We have the Storr report, which we won't produce. Mr Storr was a senior probation officer in the Cornwall area at the time leading up to this. He was asked to investigate three of his probation officers, which he did and made a report, and the government didn't act on it for some reason. When the probation officers were charged, two of them committed suicide. Both of them left notes.

#### 1110

We have, as I've outlined to you, some other disturbing situations. Sixty-seven weeks after the documentation was served on two government departments, in August 1995, the lead investigator on the streets of Cornwall for Project Truth signed a letter from the citizens' committee when they served him with the documentation they had served on the AG. He took over two hours in front of five witnesses and said, "I've never seen this documentation before. I wasn't aware of it. I didn't know about this witness and that witness." It never got from Orillia down to the streets of Cornwall. Sixty-seven weeks later and he signed the paper, and that letter—I've photocopied it and sent it to you—was published in the Ottawa Sun on St Patrick's Day 1999.

In April 1999, when it was shown to the Premier after he said, "All the evidence is in and no politician, let alone this House"—and you got that message yesterday, I guess—"should be involved in any investigation." They said, "Look, a 33-year veteran of the OPP has signed this letter." His answer, according to the press release in the Sun of April 1—he just turned and walked away.

In addition to this, we have the illegal seizure of the homemade and professional films depicting some of these poor victims being abused by these people. They

were seized illegally and destroyed. They were not returned, as they should be by law, and were destroyed. When you asked the question, as I did of the Attorney General in June, you heard his answer. If you're satisfied with it, I'm wasting my time here.

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I wish I didn't have to rise today to speak on this bill. I wish we lived in a perfect world where this type of abuse never happened. Unfortunately, we don't live in that kind of world, and that's why I want to support Mr Guzzo's bill today.

I have heard from many of my constituents. The presenter first tried to spearhead a public inquiry into the police investigations surrounding allegations of child abuse. Many in the community feel very strongly that the passage of the bill would bring the truth to light and finally allow the community to heal.

The bill is to establish a commission of inquiry into the investigations undertaken by police forces into allegations of sexual abuse against minors in our area. This bill only concerns itself with the police investigations into the claims of sexual abuse. The inquiry would not determine whether individuals are innocent or guilty of perpetrating sexual abuse against children. Innocence or guilt are matters that must be dealt with before the courts.

I have heard from many retired police officers and members of police commissions on this issue. Last year, I presented a petition in this legislature signed by over 12,000 people who supported the previous bill, Bill 103, in an attempt to get the government to establish an inquiry. The people who signed the petition want the air cleared on the issue. It has been hanging over the community for many years, and it's time that the facts and evidence were laid on the table. Conversely, those on the other side of the issue were not able to even muster 100 signatures on their petition asking that the bill not be passed.

Certainly there is evidence that perhaps there was a pedophile ring operating in our area. In the recent Project Truth trial, the defendant admitted that while he had never abused, he knew a ring was operating in eastern Ontario. A public inquiry would serve to find out why, if this ring was operating in the community, the police were not able to find the evidence until Project Truth was launched in the late 1990s.

In the early 1990s an investigation into the sexual abuse of minors began in our area after the police services board received a series of complaints. Local police took the complaints but failed to find any evidence to support the claims and promptly closed the case. In 1994 the provincial police came in to review the investigation the local police had undertaken into the allegations of sexual abuse. That December they announced they had found no evidence. Between December 1994 and 1997 local citizens got involved. As a result of Project Truth, 117 charges have been laid against 15 individuals. One hundred and nine of these charges were alleged to have happened before 1994.

In my 30 years as an elected representative for our part of Ontario, I have never seen an issue that has divided the

community as much as this has. This is not going to die. I know that until it's dealt with, it will not die. I can't even begin to think how heartbreaking it is to see people—victims and their families—in my constituency office and listen to the horror stories of how it has changed their lives. If you heard what I have heard over the years, there is no question that you would support this bill.

I hope you will all support this bill. It is time that the community is given the facts and begins to heal old wounds and look to the future. The issue has indeed divided the community. But I know that all the citizens of our community want the same thing. We want justice done.

**Mr Michael Prue (Beaches-East York):** I will be very brief on this point. We agree with and will be supporting Mr Guzzo in his call for a public inquiry.

The sexual abuse of children is a problem that is so endemic in this society. It is so long-standing, and it is very hard to root out. We know of other instances where it takes years and years for the truth to finally out, and it appears that this is exactly what is happening in Cornwall.

I was privileged to be on the child abuse committee for Toronto for some three years while I was a municipal councillor. The stories and the tragedies of the families and the victims—and even the tragedies of the perpetrators—should be well known to people. They should find out about what that causes, not only to the victim but to the people who do the abuse and the help they need. We all remember the tragic case of Martin Kruze in Toronto and how that plays itself out even to this day, with his unfortunate suicide and what is happening on the viaduct and what the city of Toronto is attempting to do with that bridge magnet.

Quite frankly, I don't know why anyone would not support the call for a public inquiry. The public needs to be informed. The public needs, through that information, not only to send people who are guilty to jail but to make sure it does not happen again, to educate itself, to educate children and to move forward as a society. I ask everyone to support Mr Guzzo in his attempt, and will be voting so at 12 o'clock.

**Mr Guzzo:** My friend from Cornwall has lived through this and has recounted the historical background, which has been most helpful. I want to deal further with the situation for only a moment.

1120

In forwarding the documentation, I included therein a letter that I sent on April 3, 1999, to the then chief of staff of the Premier, Mr McLaughlin, and I outlined there discussions that I had had with the assistant deputy minister of the Attorney General's department, who called me at my home in Florida—I'll make it clear: I did not call him; he called me—and Mr Frechette, who was an acting commissioner of the OPP in charge of criminal investigations. I commend those to you. This is the second time that I've published that letter and those descriptions.

When the then Attorney General, Mr Flaherty, spoke to this issue at the October 12, 2000 debate, he acknowl-



edged my documentation and at no time denied the accuracy of my recollections, and indeed transcripts of those discussions with those two individuals.

I also refer you to page 6 of that letter, the problems faced by Cornwall police officer Perry Dunlop. I think there's a tendency to look upon Mr Dunlop as the only honest cop in Cornwall, and that's a very, very misleading picture. For example, you may not know Mr Cleary was a police officer on the Cornwall force for a period of time. There are numerous and many people who have come forward from that force with assistance and documentation to help this situation. They haven't been, as Mr Dunlop was, prepared to sacrifice their families and their lives, but notwithstanding that, they have attempted to do a very fair and honest job.

In that documentation I referred you to, when they're preparing the case for the police services commission against Mr Dunlop, which was turned down, read what Deputy Chief St Denis has to say about the circumstances, and Sergeant Lortie, the investigating officer—I've outlined their comments; it's from their notes which were filed before the tribunal—and the concerns expressed by Sergeant Brunet. Just one glimpse at the file.

Nobody questions the fact, nobody denies the fact, that \$32,000 was paid over to an individual who was suing on the basis that he would drop his claim of an allegation of criminal conduct against the individual. As a result of that, which is an illegal process, I might add—four lawyers involved, and they're circulating letters amongst themselves and copying our crown attorney and copying the police chief at Cornwall—the \$32,000 is paid over and the criminal charge is dropped.

When it becomes apparent what has happened, because Mr Dunlop takes it, as he must, as he should, to the children's aid society, and the children's aid society have the file and are doing an investigation of the priest who was the individual alleged to have committed the offence, it's apparent that there is another victim. The CAS goes to the Cornwall police and says, "Give us the name of the other victim so we can do a police investigation," and that Cornwall police department and the board of commissioners of the Cornwall police said, "You can't have the other name. We're not going to help you." Just think about that.

As a result, a criminal charge of obstructing justice was laid against one of the four lawyers. The Law Society of Upper Canada laid a complaint against one of the four lawyers—nothing to the other three lawyers; nothing to our crown attorney, who was obviously aware of this breach of the Criminal Code; and nothing to the police chief. Lack of cooperation.

I want to deal with something I didn't do last time. I want to talk to you a bit about some of the victims, because I have interviewed approximately 65 or 70 victims, and I don't believe them all. I think there are a few here who think there might be some money at the end of this and I've been very, very cautious in cross-examining them. The OPP said that they had interviewed almost 1,000 alleged victims under Project Truth, and

they might have, because in that file that was left open at the Leduc hearing, one person, 1,000 pages of evidence, another, 600 pages, against people who have not been charged.

I want to tell you about a 250-pound municipal police officer from north of here who came into my office last spring to talk to me in his tunic. My assistant ushered him in, thinking it was another one of those parking tickets that you forget to pay, you know? The guy wanted to talk to me about Cornwall. He grew up in Cornwall. He broke down and started to cry. The disruption was such that my assistant came in, concerned something was amiss. I don't what she was going to do; she weighed about 98 pounds. I don't know how she was going to help me if I was in any difficulty. I'll never forget; I'll never erase that picture of that officer, the tears streaming down his tunic as he recounted. He has never told his wife and family. I advised him he shouldn't. There's no need.

There are two or three other people, a professional man in this city, not far from here today; same circumstances. There is absolutely no need. There is more than enough evidence if anybody wants to believe it. There's no corroborating evidence. That's difficult, especially a 30-year-old trial, because the corroborating evidence that would link to people, those films illegally seized, never used at trial, should be returned to their rightful owner, were not returned to their rightful owner. They were destroyed. Has anybody charged the police officers with destroying that evidence? No, we don't get around to that. We're too busy with squeegee kids. But I'll tell you that if we had those, it would be a different situation. It is difficult. For people to ruin their lives and ruin their families is not reasonable in light of the people who have come forward.

I want to tell you about one particular person: never told his parents; nice family today; I sat in his living room and I heard his story. On Friday afternoons he was obliged to service one of these people with oral sex. He used to go home and brush his teeth so hard his gums would bleed. He never told his parents, but he told his dentist. The dentist is now dead. But the dentist's widow is alive and she has his file. The dentist wrote to the police chief, wrote to the mayor of Cornwall, wrote to the chair of the Cornwall Police Service; not even an acknowledgement. He wrote to the Attorney General of this province. The response that he got from that Attorney General 27 years ago was, in my opinion, the lowest level to which I have ever seen the administration of justice reduced. It's an embarrassment. Well, maybe up till yesterday. We maybe lowered the barrier another notch yesterday.

Many of these victims have come forward. They were rebuked by the police department. Some very well-meaning cops said, "Go directly to the crown attorney's office; bypass the police. There's obviously a bottleneck here." Nothing happened. The crown attorney ends up being charged with 24 counts; surprise that nothing happened. The coroner, our coroner, charged with 16

counts. The lawyer who acted on the \$32,000 payment for the Archdiocese of Alexandria ends up charged with 16 counts. His explanation at the press conference he held with his client: "I had my client sign the paper. I took the \$32,000 and paid it to the lawyer for the victim, but I never read the document and I didn't know that it was in contravention of the Criminal Code. If I had read it I'd have known, but I didn't read it. I paid over \$32,000 of my client's money and I didn't read it."

There are a lot of things that are very hard to accept and very hard to swallow on this particular matter. Attempting to get to the bottom of it has not been an easy situation. It has not been pleasant for anybody, particularly the member from the area. I commend him for his work.

1130

**Mr Michael Bryant (St Paul's):** I want to speak first to the obvious. Because this is a private member's bill, because this is no longer a resolution that arguably would have compelled the Speaker, we are in a situation where, in the event the bill passes, it will be up to the government to decide whether it proceeds to the next step. We know that's the case with every private member's bill, but because of the state of private members' business today in the province of Ontario, the rules under which we operate, we know very well that private members' bills get buried. We know that.

That's not to suggest for a moment that private members' business and private members' hours aren't extremely important. Of course they are. There is enormous democratic value that comes out of this debate, and of course people will have to stand up and take a position. We look forward to seeing the position the government takes. We look forward to the position the executive council takes. Obviously the official opposition is supporting this bill, but we know the government is going to try and bury this bill. We know that.

The Attorney General, the Solicitor General and the House leader are going to have to answer the question: are you going to bring this bill forward? Are we going to shed light on what happened in Cornwall? Are we going to end the continued impugning of the administration of justice in Cornwall, or are we going to continue to bury this horrible chapter in Ontario's history?

The Attorney General rose yesterday to make arguments against the resolution. That was a point of order and I don't want to appeal the point of order in any way. I accept the Speaker's decision and I said that with respect to the propriety of the commission of inquiry. That was not something I spoke to yesterday; it was rather whether the point of order was premature.

That ruling has been made. But it's remarkable that the Attorney General would rise and make arguments with respect to judicial independence prejudiced to defendants, past and present, to strike down and knock out, using a procedural ambush resolution that has been on notice before this House since June 6, an Attorney General who would not rise in his place and speak to the judge-bashing bills that have been brought forward by

the government caucus. Why? Because, we're told, it's private members' business and that private members' business should not be in any way subjected to any vetting by the Attorney General of the day. Yet he stands up and vets this one and we have to ask ourselves, why? I think the answer has to be that the Attorney General, and anyone who is suggesting that we not shed light on this is wrong.

The Attorney General has research, he says, extensive research he cites supporting the position that a commission of inquiry would prejudice defendants or potential defendants. I'm not asking the Attorney General to share the opinion of the crown with us, but it would be appropriate, I think, to share that research with members of this House. Perhaps upon reviewing that we would be able to say, "You know what? Having reviewed this, having seen what the Attorney General has seen—at least what he's able to share with the public—we agree that in fact a commission of inquiry would be out of order."

But I find it hard to believe that would be the case. I find it hard to believe that from time to time a province or the federal government cannot take a close look at the administration of justice to see whether there has been a chapter that needs to be corrected. There obviously have been some famous royal commissions in the past that have done so, the Marshall commission being the most recent and most famous.

We're not here to second-guess the OPP or the crown and Project Truth, but the reality is that the Cornwall Police Service has been impugned. The investigation has been impugned and you cannot tell me that from time to time the province of Ontario cannot look at that, clear its name, shed light on what happened so that we can say, and so that another generation of Ontarians can say, that from east to west and north to south in Ontario, justice is done. We support this inquiry so that justice will be done.

**Mr Peter Kormos (Niagara Centre):** The walls of this building are lined with the portraits of former members, dating back not just decades but beyond that. They're anonymous now to most observers, perhaps in their obscurity still familiar to a family member, a grandson or a granddaughter. The fact is what while all of us do our best to represent constituents, to perform here as members of the assembly in the way we see fit, there are rare occasions, I put to you, when members of an elected assembly can achieve a standard that is inaccessible to most members because the opportunity never presents itself to them.

I'm saying this obviously to my colleagues on the government backbenches. It's clear the opposition parties support this bill. This member, Mr Guzzo, has with persistence and consistency pursued justice for the victims of sexual abuse in Cornwall and the Cornwall area. There is no denial, there is simply no refutation to the proposition that there are victims and that the victims have survived but through the grace of God and through no contribution or participation by leaders in this province, be they elected leaders or be they persons in positions of authority who call upon us for respect for them.



The member, Mr Guzzo, spoke in this House some time ago now about his recollections as a youngster growing up in the Glebe and his recollections of the contacts he had with young people who had emerged from any number of provincial institutions of the day, training schools.

I spoke to him about that because I responded very viscerally and intimately with that. I too recall, as a youngster, young people in my community, down in Crowland in the south end of Welland, coming back home from St John's, from Uxbridge, from Grandview, who only in the briefest and most intimate moments would dare relate what had happened to them in those institutions, and could only begin to communicate the incredible pain and scarring damage that flowed from the sexual abuse and assaults upon them when they were with persons whom their parents and whom any number of judges and any number of other people in authority thought they should and would be safe with.

The problem is that back then we had nobody to tell. You couldn't tell the police, because quite frankly some the allegations about the sexual violence against these young people involved allegations of violence against, perhaps not police but people in corrections, people in those positions of authority who had a natural affinity with the criminal justice system and were held in, oh, such high regard. There was nobody to go to.

We like to think that times have changed. The victims of the sexual violence, of the rapes of youngsters in Cornwall by people in positions of authority and, oh, such high regard, clearly felt that by the time 1990 had come along there were people you could tell—30 years later. These same victims knew it was important to tell what had happened. It was important to them because they were still incredibly damaged and the only way some of that damage—some of the damage—could be undone would be for the perpetrators, the violators, the criminals, the offenders, to be brought to some justice.

1140

We know the facts, the irrefutable facts. One police investigation, two police investigations; then only after a privately funded and private investigation did we see charges laid on the basis of, yes, reasonable and probable cause, which means more than mere suspicion, which means more than mere rumour, which means more than mere gossip.

The inquiry being called for by this member is to investigate in an effort to understand how police authorities could have failed, if indeed they did fail. And the inquiry being proposed is an incredibly cautious one. It's an incredibly carefully worded guideline. But it's an effort, should it occur, to guarantee that it never happens again.

This is as much about rescuing children 10 years down the road as it is about trying to create some justice for those children of 30 and 40 years ago.

I say to members of the Conservative bench, your colleague Mr Guzzo, who has been a faithful member of his caucus, who has been faithful to his colleagues in that caucus, who has supported you and your leadership, even

from time to time when there may well—I'm merely speculating—have been occasions where he, like maybe some of you, had some doubt about the appropriateness of that support at that point in time, this member is calling out to his caucus colleagues to demonstrate to him some of the same support he's demonstrated for them.

And it is as well an opportunity, one of the rare opportunities that happen here, where one can leave Queen's Park at the end of one's political career, be it by choice or as a result of the choice of the electorate, and be it two years from now or five or 10 or 15 years from now, and reflect on an occasion where one vote truly made a significant difference, not just to the future of a government, not just to the impact of government policy, but to the lives and families of real people, real members of our provincial community who have no place else to go. You see, they've already gone to the police. They went to the police once, they went to the police twice. They've gone to Attorneys General. They've gone to the newspapers. They've gone to the editorial writers. This is their court of last resort.

If you've never felt a responsibility to remove yourself from the fold and the fulfillment of your obligations, not just as an MPP but, please, Speaker, as a human being, as somebody who cares, as somebody who cares about other people, and most poignantly and significantly in this case, as somebody who cares about kids who are buggered and raped and sodomized and have to live with that the rest of their lives—and I put to members that if we don't rise to their defence today, then we will have to live with that for the rest of our lives. It will be one of those occasions where it won't do any good five or 10 years from now to reflect on it and say, "By God, I should have." It doesn't count five and 10 years from now. Now is the time, right now, within the next 30 minutes.

There may well have been some persuasive arguments from the points of view of some of the members of the government backbenches about the propriety or the legality of the inquiry being proposed by Mr Guzzo. I say to you this: let the courts determine, because I have no doubt—I'm not about to suspect that nobody will challenge this inquiry were this Legislature to call for it. I have no doubt there will be people, individuals, persons in authority, there could well be an Attorney General who seeks to quash this inquiry for reasons which will be more apparent to some than to others. But please, do the right thing in your own capacity and let the courts assess the arguments that may well be made subsequent to what happens here at Queen's Park today.

I can live with the court's adjudication on the appropriateness of this inquiry. I tell you that I am confident—as a result of being here now, I don't know, 13 years and witnessing a succession of inquiries and debates about inquiries, going through a succession of governments and all of the arguments made to try to derail inquiries—that, at the end of the day, the courts have inevitably ruled that inquiries are permissible, legitimate and legal, subject to certain constraints, and those constraints already written into the terms of inquiry of this bill.

Furthermore, this bill can go to committee where the Attorney General or any other number of persons, institutions or bodies can make arguments for amendment to the terms of inquiry contained in this bill, if indeed they have objections to it.

People have a chance here and now to stand up and make their mark. People have the chance here and now to recognize the courage of one of their colleagues who has, with zeal and passion, and—let's look it squarely in the face—who, at some significant risk to his political career, has pursued justice for the people of Cornwall. He was criticized when he attempted, quite frankly in my view, to strong-arm the government into calling an inquiring by threatening to name names. He was criticized for that, and rightly so, because that wasn't the place where names should be revealed. But the fact is that in Cornwall there are names being hurled about all over the place, and the innocent names have a right to be cleared as much as the names of the guilty have an obligation to be prosecuted. That's what this inquiry is meant to do. We are compelled to pass this legislation today.

**Mr Bob Wood (London West):** Mr Speaker, I rise to support this bill today. I think that the inquiry it proposes is fair and necessary for the victims, the investigators and the public. I would, however, like to make reference to the fact that this is proceeding as a bill on second reading, rather than as an order of this House for an inquiry.

I think the ruling that you, sir, made yesterday reveals a serious deficiency in our standing orders. This House, by resolution, should be able to order an inquiry, and I invite the support of all members of this House to change the standing orders so that that is possible. Resolutions passed in this House should have more than merely advisory force. I would respectfully suggest to you, sir, and to the House as a whole, that our MPPs cannot do the job and the people can't assess the job they're doing unless we have the ability as a House, without the government's permission, to make inquiries and find facts. I would suggest, sir, that that is fundamental to the function of our democracy, and I invite all members of this House to support a change in the standing orders so that will be possible in the future.

1150

**Mr Ernie Parsons (Prince Edward-Hastings):** As a 25-year CAS board member, as a foster parent, as a human, I have followed the media reports on these incidents with some interest. The incidents, as described by Mr Guzzo and by the media, are absolutely unbelievable, but that doesn't mean they're not true. I have learned, as most of us have, the hard way that truth is often stranger than fiction. September 11 demonstrated that. There is an equal probability in my mind that it happened or it did not happen.

We have had through the media some inference and some allegations made against some extremely reputable people, and they have not had an opportunity to clear their names. The best thing we can do for those who are accused, those who are victims of a whisper campaign, is hold an inquiry and give them a legal, public opportunity to vindicate themselves if in fact they are not guilty.

On the other hand, for the victims—we're using the word "victims" but no one has declared that they are victims—if they are really, truly victims they have been provided with no opportunity for compensation, they have been provided with no opportunity for counselling, because almost no one has believed in effect that it has happened. We owe it to the victims as much as we owe it to those who have been accused to examine the issue and to determine whether it happened. I cannot picture in my mind any reason whatsoever why we would not hold it.

I am familiar in my own riding with accusations that have been made against people in every part of the spectrum of society. And whether they're the most wealthy person or whether they have nothing, the characteristic of abuse is not tied to an economic group, is not tied to an ethnic group, is not tied to a gender. Any human, unfortunately, sometimes has the capability of doing that abuse. Yet we are wanting to hide our heads in the sand and ignore it.

One piece of knowledge that I am convinced of from my experience with children's aid societies is that there is a greater than average possibility that a victim ultimately becomes an offender without support from society. We're denying it because we don't want to acknowledge that it happened.

Mr Guzzo is obviously convinced of this. He would not be taking the stand he's taking without the utmost sincerity and at some risk to himself in a career viewpoint. He's not asking for convictions, he's not asking for penalties—he's asking for justice. One cannot mount a campaign on why we should not have justice. I am absolutely embarrassed that in this province we would not be prepared to either vindicate the accused or provide support to the victims.

Unfortunately, an example that I'm all too familiar with is the abuse that has taken place at the provincial schools, schools for the deaf. The reaction of this government to that is, "We don't want to talk about it. We don't want to reopen it. We don't want to revisit it. We spent \$8 million; the issue should go away now."

There is too much evidence—which may be rumour, may be innuendo—for us to turn our back to this. There are people walking these streets right now who could re-offend. Statistics indicate that people who abuse, even after going through a program, have approximately a 2% success rate. If indeed there are guilty parties, we owe it to the children, we owe it to the young people of this province, we owe it to the accused, we owe it to the victims. I defy you to find a reason to not support Mr Guzzo's motion.

**The Speaker:** I believe the time has expired. Sorry, there is some time. The member for Etobicoke North.

**Mr John Hastings (Etobicoke North):** I want to commend the member for Ottawa West-Nepean for bringing this matter to light, for shedding some light on a whole series of fundamental questions, many of which, from what I have read—and I have read the material many times over—keep it in darkness. This Legislature, the members of this Legislature, must be accountable to



the people of the province, and if there was ever a moment in the time I've been elected since 1995, today is that time. As the member for Niagara South has mentioned, people are looking for accountability—not just the general public but the people involved from the city of Cornwall.

I shall support fully a public inquiry into this matter, because the history shows, if you look at it, that there is no dispute in our history that there have been public inquiries in the past simultaneously while there were court trials going on of a criminal nature. The argument being made by critics of any party regarding this issue, that you can't separate the two, is purely a myth. It ignores historical reality, particularly in the last 15 years in Ontario and within Nova Scotia within the last seven. So that is not an argument here.

Finally, I want to make a brief remark. As the member for London West has noted, I think yesterday, despite the Speaker's ruling, was a sad day for the life and reality of democracy in this province. I want to put on record my sense of what happened yesterday in the light of what the Speaker's ruling is. It certainly points up the deficiencies that we as members have in this House as they become more limited over the days and years.

**Mr Bert Johnson (Perth-Middlesex):** I want to rise and put on record my support for Bill 48. I remember the church native schools. I remember Grandview. I remember St John's School in a personal way. I used to visit a hardware store just down the road in Uxbridge almost monthly. I used to think those were bad kids that came down the railway tracks from St John's School to the hardware store, broke in, got some different clothes and made off. And I guess they were bad kids, but they weren't as bad as I thought because they were running away from something much worse.

I believe we risk in this bill condemning those victims, that their court cases may not proceed, for whatever reason. But I think we risk something greater, and that is not making sure there is some justice for those that perpetrated this. I just wanted to put my thoughts on record.

**The Speaker:** The member for Ottawa West-Nepean has two minutes to reply.

**Mr Guzzo:** I'd like to thank the members of the House for their comments and participating in the debate.

I'd like to just deal with two items, if I might, the first one being the purpose and what is to be accomplished from something like this. I said in the debate last year, and I'll say it again: if it's happening in Cornwall, if police investigations can fail to uncover any charges and then as a result of the citizens' work have this happen, uncover this number of charges, it can happen anywhere. It can happen in your riding. It can happen with any police force.

Indeed afterward, when I was asking questions this spring in the House, I mentioned a number of times that I had opened nine new files, some of them frivolous, some of them not so frivolous. One of the ones I opened and referred to the people in this government that I should

refer it to, I must say, was the Sikura file, which is now becoming a very, very serious one. Note the parallel in the Sikura matter: nothing found by the local force, rash judgment, rush to judgment, OPP is called in as a result of some complaints, they can find nothing, individual cop goes and does some homework, now they reopen it. But who do they call in to investigate? The OPP, to investigate themselves, just as we found here. And eyewitnesses there still had not been contacted by either the local police or by the OPP.

The other point I want to make is, three years after the citizens group went to Florida and got copies of the registration slips, the OPP finally went down there. But some VIPs in Cornwall said, "Hey, they might be forgeries." The citizens' group went back with pictures of the individuals. Not only are they good forgeries, but the people who are alleged to do the forgery look remarkably similar to the individuals named. It's a miracle.

#### PREVENTING PARTISAN ADVERTISING ACT, 2001

#### LOI DE 2001 VISANT À EMPÊCHER LA PUBLICITÉ À CARACTÈRE POLITIQUE

**The Speaker (Hon Gary Carr):** We will deal with ballot item 27 standing in the name of Mr McGuinty.

Mr McGuinty has moved second reading of Bill 107. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

We will call in the members after I put the question on the next ballot item.

#### INQUIRY INTO POLICE INVESTIGATIONS OF SEXUAL ABUSE AGAINST MINORS IN THE CORNWALL AREA ACT, 2001

#### LOI DE 2001 PRÉVOYANT UNE ENQUÊTE SUR LES ENQUÊTES POLICIÈRES RELATIVES AUX PLAINTES DE MAUVAIS TRAITEMENTS D'ORDRE SEXUEL INFLIGÉS À DES MINEURS DANS LA RÉGION DE CORNWALL

**The Speaker (Hon Gary Carr):** Mr Guzzo has moved second reading of Bill 48.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed?

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

PREVENTING PARTISAN  
ADVERTISING ACT, 2001

LOI DE 2001 VISANT  
À EMPÊCHER LA PUBLICITÉ  
À CARACTÈRE POLITIQUE

**The Speaker (Hon Gary Carr):** All those in favour of the motion will please rise and remain standing.

**Ayes**

Agostino, Dominic	Dombrowsky, Leona	McMeekin, Ted
Bountrogianni, Marie	Duncan, Dwight	Parsons, Ernie
Bradley, James J.	Gerretsen, John	Patten, Richard
Bryant, Michael	Gravelle, Michael	Peters, Steve
Caplan, David	Hoy, Pat	Phillips, Gerry
Christopherson, David	Kennedy, Gerard	Prue, Michael
Churley, Marilyn	Kormos, Peter	Pupatello, Sandra
Cleary, John C.	Kwinter, Monte	Ramsay, David
Colle, Mike	Lalonde, Jean-Marc	Sergio, Mario
Cordiano, Joseph	Marchese, Rosario	Smitherman, George
Crozier, Bruce	Martel, Shelley	Sorbara, Greg
Curling, Alvin	McGuinity, Dalton	
Di Cocco, Caroline	McLeod, Lyn	

**The Speaker:** All those opposed will please rise and remain standing.

**Nays**

Amott, Ted	Johns, Helen	Snobelen, John
Baird, John R.	Johnson, Bert	Sterling, Norman W.
Barrett, Toby	Klees, Frank	Stewart, R. Gary
Chudleigh, Ted	Marland, Margaret	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Maves, Bart	Tsubouchi, David H.
Ecker, Janet	Miller, Norm	Tumbull, David
Elliott, Brenda	Molinari, Tina R.	Wettlauffer, Wayne
Galt, Doug	Munro, Julia	Wilson, Jim
Gill, Raminder	Murdoch, Bill	Witmer, Elizabeth
Guzzo, Garry J.	Mushinski, Marilyn	Wood, Bob
Hardeman, Emie	O'Toole, John	Young, David
Hastings, John	Runciman, Robert W.	
Hudak, Tim	Sampson, Rob	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 37; the nays are 40.

**The Speaker:** I declare the motion lost. We will leave 30 seconds for the doors to be open.

INQUIRY INTO POLICE  
INVESTIGATIONS  
OF SEXUAL ABUSE AGAINST MINORS  
IN THE CORNWALL AREA ACT, 2001  
LOI DE 2001 PRÉVOYANT UNE ENQUÊTE  
SUR LES ENQUÊTES POLICIÈRES  
RELATIVES AUX PLAINTES DE MAUVAIS  
TRAITEMENTS D'ORDRE SEXUEL  
INFLIGÉS À DES MINEURS  
DANS LA RÉGION DE CORNWALL

**The Speaker (Hon Gary Carr):** All those in favour of the motion will please rise and remain standing.

**Ayes**

Agostino, Dominic	Gerretsen, John	Miller, Norm
Amott, Ted	Gravelle, Michael	Molinari, Tina R.

Barrett, Toby	Guzzo, Garry J.	Murdoch, Bill
Bountrogianni, Marie	Hardeman, Emie	O'Toole, John
Bradley, James J.	Hastings, John	Parsons, Ernie
Bryant, Michael	Hoy, Pat	Patten, Richard
Caplan, David	Johnson, Bert	Peters, Steve
Christopherson, David	Kennedy, Gerard	Phillips, Gerry
Chudleigh, Ted	Klees, Frank	Prue, Michael
Churley, Marilyn	Kormos, Peter	Pupatello, Sandra
Cleary, John C.	Kwinter, Monte	Ramsay, David
Colle, Mike	Lalonde, Jean-Marc	Sergio, Mario
Cordiano, Joseph	Marchese, Rosario	Smitherman, George
Crozier, Bruce	Marland, Margaret	Sorbara, Greg
Curling, Alvin	Martel, Shelley	Stewart, R. Gary
Di Cocco, Caroline	Martiniuk, Gerry	Tascona, Joseph N.
Dombrowsky, Leona	McGuinity, Dalton	Wettlauffer, Wayne
Duncan, Dwight	McLeod, Lyn	Wood, Bob
Galt, Doug	McMeekin, Ted	

**The Speaker:** All those opposed will please rise and remain standing until their name is called.

**Nays**

Baird, John R.	Johns, Helen	Stockwell, Chris
Cunningham, Dianne	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	Munro, Julia	Tumbull, David
Ecker, Janet	Mushinski, Marilyn	Wilson, Jim
Elliott, Brenda	Runciman, Robert W.	Witmer, Elizabeth
Gill, Raminder	Sampson, Rob	Young, David
Hudak, Tim	Snobelen, John	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 56; the nays are 20.

**The Speaker:** I declare the motion carried.

Pursuant to standing order—

**Mr Guzzo:** I would ask that the bill be referred to the standing committee on general government.

**The Speaker:** Shall the bill be referred to the standing committee on general government? Agreed. It is so ordered.

It now being after 12 o'clock, this House stands adjourned until 1:30 this afternoon.

*The House recessed from 1215 to 1330.*

MEMBERS' STATEMENTS

VISUDYNE

**Mr Monte Kwinter (York Centre):** Wet macular degeneration occurs most often in people over 60 years of age. It is the result of newly forming blood vessels leaking into the eye's retina. This in turn causes reduction or total loss of central vision. The only known treatment is Visudyne.

Ontario seniors who cannot afford to pay for this treatment are faced with the prospect of permanently losing much, if not all, of their eyesight. Health Canada approved Visudyne for treatment on May 31, 2000. The provincial government has yet to approve Visudyne, although the Ministry of Health said its review would be completed eight months ago.

Minister Tony Clement, in his response to my colleague yesterday, said: "The honourable member knows



very well what the process is.... We on this side of the House follow the process.... From our perspective, we are doing everything as it should be done, according to the book.

Yesterday Tony Clement announced that the anthrax drug Cipro will be available on the provincial drug plan for seniors and welfare recipients. Health Canada has yet to approve Cipro for the treatment of anthrax. Tony Clement is quoted as saying: "I think we can take as evidence from Health Canada that they deem Cipro to be safe to be ingested by Ontarians and Canadians by the very fact that they are ordering a million pills. They're signalling to us that it does pass their safety requirements, and that was the only thing that was preventing us from dealing with it on the formulary."

Minister, although, without question, we must be prudent and prepare for any potential bioterrorist attack, there is not one confirmed case of anthrax in Canada. You found it expedient to totally bypass the process, and in fact you didn't even open the book. Surely, when we have a treatment such as Visudyne, you could exercise the same expedience in ensuring that not one senior in Ontario loses their eyesight due to your inaction.

#### HALL OF DISTINCTION BUSINESS EXCELLENCE AWARDS

**Mrs Julia Munro (York North):** Last Thursday evening I had the pleasure of speaking to the annual Hall of Distinction Business Excellence Awards, hosted by the Newmarket Chamber of Commerce.

There are four categories. The first award, for extraordinary business achievements, recognizes excellence. It relates to achievement within our community in any of a number of areas: research and development growth, and new market development. This award was given to Microcel Technical Services.

The Bell Canada Technology Award is awarded to a Newmarket business that has demonstrated innovation in the use of technology in the ever-changing communications area. Southlake Regional Health Centre was the recipient of this award.

The award for developing international trade recognizes outstanding achievement in the development of export markets, the acquisition of subsidiary companies in other provinces or nations and the building of working agreements with companies in other nations. Exco Engineering won this award.

The New Business award recognizes a successful and innovative new entrepreneur. The nominee must be at least one year old and cannot have been in existence more than five years. The award was given to Pack Age Inc.

The Founders Award, to honour a lifetime of achievement in Newmarket, was awarded to Slessor Motors.

Congratulations to all those who were nominated and to those businesses that received awards. Small business is the backbone of the Ontario economy.

#### EPIDERMOLYSIS BULLOSA

**Mr Gerard Kennedy (Parkdale-High Park):** I rise in the House today to help create awareness of something that I think most people here aren't knowledgeable of but need to know about.

Epidermolysis bullosa, or EB, is a group of rare and debilitating genetic skin diseases in which the skin and mucous membranes are so sensitive that the slightest touch can cause painful blistering. EB is a lifelong disease that is often present at birth and can cause severe physical, emotional and financial hardships for the affected persons and families. There is no cure for EB and many, if not most, Canadians are unaware the disease exists, since those who suffer from it must avoid the heat of the sun and must seek the comfort of shade.

There is almost a total lack of service and support for those who have to live with this disease every day. People seeking a miracle go to the States or abroad, where governments have started to invest in research into this illness and have attempted to treat its symptoms with procedures such as Apligraf. The parents of these infants often receive very little information, if any, at birth.

Today, I'd like to recognize in the members' gallery one of my constituents, Kevin Campbell, who inherited this disease at birth. Kevin has brought together many Canadians afflicted with EB across Ontario so that they might help each other through their suffering and teach us all about a disease that is too hidden from public view. Kevin is the acting president of EB Canada and the EB Society of the Greater Toronto Area.

I'm proud that EB awareness week is being launched this Saturday, October 27, at an event in my riding of Parkdale-High Park, which members on all sides of the House are invited to attend. I invite you to learn about the disease over the course of this next week, so that the knowledge we have can work toward improving medical and social services for these people and, through research, find a cure.

#### BILL FINLEY

**Mr Doug Galt (Northumberland):** This weekend, the county of Northumberland will honour Warden Bill Finley. This banquet is the culmination of a long political career.

In the past year, the warden has spearheaded a number of important initiatives. First and foremost, he has worked closely with my office and the local federal member to promote the need for a county-wide economic development strategy. We have appreciated his support.

Another notable accomplishment under his stewardship is the waste management department's new agreement with CCI Newmarket to compost wet household garbage waste. This initiative has resulted in a Gold Award for the county from the Recycling Council of Ontario.

Even before the tragedy of September 11, the county had been busy updating and modernizing its emergency

response plan. It has also committed to be the lead agency for the Connect Ontario project in our region.

The success of these initiatives is largely due to the leadership of Warden Finley. He is a warm and caring individual who reflects the spirit of Northumberland residents in a very positive way.

Although this list is by no means exhaustive, it is some indication of the commitment Warden Finley has for the betterment of Northumberland county. I ask the members of this House to join with me in recognizing Warden Bill Finley.

### HOME CARE

**Mr Joseph Cordiano (York South-Weston):** This government refuses to acknowledge that we have a home care crisis in Ontario. CCACs across Ontario face a shortfall of \$175 million. We now have a situation in Ontario where 70-year-olds are forced to look after their elderly parents in their 90s. It's completely unacceptable that this should be the case.

Budgets have been frozen at year 2000 levels. Last week I spoke of the case of Mr Derango, himself a cancer patient, who is now forced to look after his 90-year-old mother. Can you imagine how bad the situation is for these people? I try to impress this upon this government. There are others like the Oddi family. The daughter-in-law has a heart condition and is required to look after an elderly father who is an Alzheimer patient.

This situation is completely unacceptable, and it comes as a direct result of this government's refusal to acknowledge that we are facing a crisis when it comes to home care across Ontario. North York CCAC is facing a \$10-million shortfall, and that immediately impacts on the people I'm referring to.

When is this government going to acknowledge we are facing a crisis and fund CCACs properly?

### EDUCATION FUNDING

**Mr David Christopherson (Hamilton West):** I rise to bring again to the attention of the government the damage being caused in our communities—particularly as it relates to inner-city schools—by their underfunding of education.

For a number of years now, we've seen turmoil on the public school side as the local school board agonized over trying to meet your restrictive funding formulas in terms of closing inner-city schools. Allenby is an excellent example of a major loss for our community. Now we're seeing it on the Catholic board side of things. One of the schools in my riding, Christ The King school, is now on the chopping block directly as a result of your underfunding. I want to remind this government of the importance of inner-city schools. They're not just education centres. They're often social centres. It's a place for the kids to go after school. It's a place for adults to go and take continuing education. Many times it's the only

green space in an inner-city area. When you close the school, you lose the social centre of that neighbourhood.

1340

I want to read from a letter I received from a constituent, in the seconds that I have. "I had been involved in the parents' council for many years while my children attended the school. It is a school with not only high standards of education, but a school with a soul. The children at Christ The King are a very unique and special group of children."

It's wrong that our trustees have to worry about whether they can keep this school open. I urge the government: restore proper funding to the education system and stop this turmoil in communities like Hamilton.

### HALTON ECONOMY

**Mr Ted Chudleigh (Halton):** The people of Halton are going to be opting out of the economic slowdown in the coming quarter. Auto parts manufacturer Magna International has recently chosen Halton as the site of its newest subsidiary, a hydroforming plant that will be located in Milton. The hydroforming plant is one that uses high-pressure water to form steel and tubular steel to produce a very high quality truck frame.

Six hundred new jobs that come with this plant will help Halton to maintain its phenomenal economic growth and add to the prosperity enjoyed by those people who already call Halton their home.

There are several companies currently planning new facilities in Halton, and I am confident there will be more announcements like Magna's in the coming months. Many thousands of people are coming to Halton each year. Business is booming. These people have the confidence and faith that accompany any new job or new home. That booming economy has been generated by lower taxes, fair and reasonable labour laws and an emphasis on making Ontario the best jurisdiction in North America to live, work and raise a family.

Of course, these jobs will generate new taxes. In turn, those taxes will help finance health care, build new schools, maintain communities, improve environmental safety and generally improve the quality of life in Halton and across Ontario.

Given the advantages that Halton offers to businesses looking for a place to build or expand, I'm quite confident that Halton and Ontario will continue to attract more business and those people who seek that opportunity.

### FEDERAL FUNDS

**Mr James J. Bradley (St Catharines):** Once again we hear Mike Harris and his Conservative cohorts whining for more federal money. The real question that has to be asked of the Premier is one that so far, for some unknown reason, he has escaped: Premier Harris, what do you really want the federal money for? The answer is clear: to fund his ill-conceived tax cuts for the rich and, in particular, for his corporate friends and financial sup-



porters. Not a single new penny of expenditure for health care this year is from provincial coffers. In fact, the Harris government has pocketed an extra \$100 million in federal funds for its tax cuts.

When the federal government awarded \$3,000 a year in millennium scholarship money for 35,000 Ontario students, the Harris government cut financial assistance to those students and grabbed \$87.5 million in federal funds.

When the federal government handed over an additional \$15 million this year for early childhood development, the province withdrew its \$15 million and gave it away in tax cuts.

When the feds provided \$150 million more for social assistance, the provincial Conservatives snatched the lion's share for their tax cuts for the wealthy.

When Mike Harris wants to use the level of federal transfers of funds as an excuse to implement two-tiered health care—one for the rich who can afford to pay and one for the rest—ask him why he wants those federal funds. The answer is simple: to pay for his \$2.2-billion tax gift for the corporations.

Use that money, Mike, for health care in Ontario.

#### SAFETY FIRST PROGRAM

**Mr Garfield Dunlop (Simcoe North):** Last Monday, I was honoured to participate in the official launch of the Ontario Provincial Police central region's "safety first" program held at Norwood District High School. I was pleased to be included with Chief Superintendent Dave Wall, along with officials of the OPP and Kawartha Pine Ridge District School Board.

The "safety first" program is about teaching senior elementary students all about Internet safety, and includes 11 key points, which I would like to read into the record:

"(1) Computers should be kept in an area of the house where everyone can use them and be seen.

"(2) Ask for an adult's permission to use the Internet.

"(3) Explore the Internet with your parents. Don't be afraid to share with them what you know.

"(4) Blocking programs can be used to increase the safe use of Internet for your child, but these programs should be treated only as part your overall Internet safety program.

"(5) Remember, individuals who you meet on the Internet should be treated as strangers and potentially dangerous until proven differently.

"(6) Tell an adult right away if you find something that makes you uncomfortable or scared.

"(7) Remember, people do not normally give away anything for free. Never agree to meet someone to get something.

"(8) Never arrange to meet someone you met on the Internet.

"(9) Never respond to messages or bulletin items that are rude, obscene, threatening, frighten you or make you feel uncomfortable.

"(10) Never give out personal information such as your name, address, phone numbers or financial information over the Internet.

"(11) Remember, threatening to cause harm to anyone over the Internet is a crime!"

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent to introduce a motion to direct the standing committee on general government to consider Mr Guzzo's bill beginning today in committee.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

**Mr Duncan:** On a point of order, Mr Speaker: I believe you're coming to oral questions, and the ministers whom we have questions for and we were told would be here are not here.

**The Speaker:** It's not really an excuse, but we did finish early, although I hope all members would try to get here early. Some days, as you know, question period can start at a quarter to two, some days it can start later. I'm looking for some guidance from the government members. Government House leader?

**Hon Janet Ecker (Minister of Education, Government House Leader):** My apologies to the honourable members. There are ministers who will be here. You're quite right, you did start question period a little early, so I do beg the indulgence of the House.

**Mr Duncan:** On a point of order, Mr Speaker: If it would make the House leader's job any easier, the associate Minister of Health is the minister we're looking for, and I see her coming in now.

**The Speaker:** Hopefully, all members will watch the TV, and as they see us moving down quickly, they will try and get in as quickly as possible.

#### ORAL QUESTIONS

##### COMMUNITY CARE ACCESS CENTRES

**Mr Dalton McGuinty (Leader of the Opposition):** My questions today are all for the associate minister of health. There's an article in one of today's papers that tells us that Ontario's CCACs are under tremendous pressure as a result of the fact that you have placed a freeze on their funding, and at a time when demand is skyrocketing for their services they feel they have no choice but to make families pay user fees. Madam Minister, do you support user fees for home care?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I thank the member opposite for the question. He would know, like I know, that I support the highest quality of care that can happen in Ontario.

This government is looking at its community care access centres because we believe there need to be changes to the management of community care access centres. We believe that there need to be changes because

there are people in the province who are not receiving the services they want.

We have gone into Hamilton because we found there were concerns there. When we did an analysis of Hamilton, we found out that there were a number of issues we should all be concerned about as legislators in Ontario and we have entered into a review to ensure that the people of Ontario are receiving the services they need and deserve.

**Mr McGuinty:** Madam Minister, all I needed was a yes or a no. You didn't answer the question, and that tells me you are afraid to admit that your government is in fact very much supportive of user fees when it comes to home care.

You believe that our parents and our grandparents should be paying user fees for home care. Remember now, if you don't feel a sense of obligation to our parents and grandparents, these are the people who raised their families, played by the rules, paid their taxes, and now I feel a sense of responsibility and obligation toward them. If you don't feel that, then maybe you should consider the economic argument as well.

1350

There was a study done by Health Canada. They looked at cuts to homemaking services very specifically. Do you know what they found? They found that when you deprive seniors of homemaking services, seniors are more likely to get sick, they are much more likely to die. The cost to the health care system, on average, was \$4,000 more when we didn't deliver homemaking services to parents and grandparents.

If you don't understand the sense of moral responsibility we have to help our parents and grandparents live out their lives in independence in their home, you should understand the economic argument is also there. So I ask you again, Madam Minister, why do you support user fees?

**Hon Mrs Johns:** Let me be very clear that the only people who are talking about user fees in Canada right now are Senator Kirby, the Liberal senator, and also Chrétien, who has asked Roy Romanow to look at all of the options. We of course will wait for those options to come from Roy Romanow.

But when we talk about CCACs, and the specific CCAC that we're talking about today, let me say that that CCAC moved from \$17 million in 1994-95 up to \$21 million, in that short period of time, and yet they're saying they can't provide services to the people of their area. When we put CCACs together, our goal was to ensure that quality services were being provided to people in every community across Ontario, and it disturbs us greatly when they're not being provided. That's why I've been assigned to ensure that I look at CCACs, so that seniors have the services they need in their community; and hence the review, a proactive approach to making sure we provide quality care in Ontario.

**Mr McGuinty:** The minister says she's disturbed greatly by some of the news that has been pouring out

here. Let me tell you what disturbs us greatly. What disturbs us greatly is that you are underfunding our home care services, and what disturbs us greatly is that you have forced our CCACs to put this proposal before you because they've effectively got a gun to their heads, saying, "The only way we can continue to provide these services is by turning to those people we provide them to and asking them to pay user fees."

Do you know what I think, Madam Minister, if we're going to be perfectly honest here? I think this was a very deliberate strategy on your part. You have frozen funding to our community care access centres. You've left them with no choice whatsoever but to come forward today. Listen, we are going to hold hostage those very people who have had their care entrusted to us and now make them pay user fees. I think that's all part of your strategy. If you think I am wrong, then you can easily disabuse me of this notion. You can stand up now and you can provide reinsurance to our parents and our grandparents and all Ontario families, and say you stand against user fees for home care.

**Hon Mrs Johns:** Let me say that I can stand any day and say that I disagree with the Liberal Party and what they're doing to ensure there's health care in Ontario. When you look at Jean Chrétien back in June 2001, he said, "This party stands against user fees," and now he has Roy Romanow out there looking at all options. Jean Chrétien has opened the field and said, "I'm actually interested in user fees. I've seen them in Sweden."

Let me say that this government is committed to providing quality care. We're concerned about the seniors of the province who have been unable to receive services. Everyone out there knows that this government has had a commitment to community care in the CCACs. We have increased the funding by 72% because we believe it's important to have community services. When people like you suggest that we don't have that commitment, you're just plain wrong.

#### DOCTOR SHORTAGE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the same minister. We'll give her an opportunity to see if she might at least in some small way redeem herself.

I believe one of the most important responsibilities that the provincial government has is to make sure our working families have a doctor. That's why I was so concerned about a new report put out by the Ontario College of Family Physicians. They say that Ontario now has the fewest doctors per capita in the country. They say that one out of every five people in Ontario can't get a family doctor. They tell us that it's even worse in rural areas, where one in four can't get a family doctor.

This is your government's achievement. You've had six long years. We now find ourselves in the worst position in comparison to our provincial counterparts. We have the fewest doctors per capita in the country. Why has your government failed our families?



**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** We all know in this House that if we go back and look at the history, it was in the time between 1990 and 1995 that previous governments chose to reduce the number of doctors who could go through medical school. Since 1995, the Mike Harris government has had a commitment to ensuring that we strengthen the number of doctors we have in the province.

I'd like to just say, "Welcome to our concerns." We've had them for a number of years. As a result of that, we have ensured that we do things to put doctors through, to bring doctors to Ontario, to ensure that we entice them to stay in Ontario. We've had community-sponsored contracts. We've had alternate funding arrangements so that we could ensure that doctors receive the compensation they deserved for being in underserved areas. We have made arrangements so that their tuition fees are taken care of if they go to an underserved area.

This government is committed to ensuring that we have doctors in all areas across the province, and we will continue to do that in the future because we believe there are—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

**Mr McGuinty:** Madam Minister, I can assure you that talk is cheap and results count. Let me tell you about your results at the end of six and a half very painful years here in Ontario. The facts are that after those years, we now have the fewest number of doctors per capita in the country. When you started, when your government came on the scene back in 1995, we had 85 underserved communities. Today we have more than 110. When you started back in 1995, we were right in the middle of the pack in Canada when it came to the number of doctors per capita. Now we find ourselves at the bottom. During each and every one of the last six years, the number of doctors per capita has decreased on your watch. Everything you have done when it came to ensuring that we have more family doctors in Ontario has failed. That is the result of your government and your mismanagement of our doctor shortage issue.

I ask you again, why have you failed to ensure that our families have access to a family doctor in their community?

**Hon Mrs Johns:** I was at the Ontario Medical Association meeting last night, and they complimented us and the previous minister for the work she had done on ensuring that we moved forward to ensure there was a greater supply of doctors in the province.

Let me just remind you that there are a number of things this government has done. We've created a medical school in the north, which is an important, important event. We also have strengthened our resources in rural Ontario to ensure that we have regionally trained doctors. I can tell you that in Goderich, which is in my area, we're training doctors so that they'll have a strong rural component and education so that they can be assured of staying in our rural communities.

We've done a number of things because we believe it's important to have our own trained doctors here, but on top of that we've gone out and said, "Let's bring more foreign-trained doctors into Ontario because we need that expertise too."

We're working on a number of fronts because we believe that doctors are important, that the quality of care is important. It's a lot more than has ever been done in the past.

**Mr McGuinty:** Again, Madam Minister, talk is cheap, but I happen to believe that results count. You've had six and a half years. You've taken us from a point where we were in the middle of the pack in comparison to other provinces; now we have the fewest doctors per capita. Every single year on your government's watch, we've had fewer and fewer doctors on a per capita basis. When you started on the job—that is, when your government began its term back in 1995—we had 85 underserved communities. Today we have more than 110. Those facts are indisputable. That is your record; those are the results.

I ask you again, why have you failed our families when it comes to making sure that they have a family doctor in their community?

**Hon Mrs Johns:** Let me just say to the member opposite that we all know there is a shortage of doctors all across North America, and globally too.

**1400**

We here are working to ensure that we strengthen our doctor supply. We've done that by looking at bringing foreign-trained doctors into our community. We have looked at strengthening our ability to bring young people through their training as doctors. We've also looked at how we can utilize other health professionals to ensure that they are able to be there; for example, I think of nurse practitioners.

It's important to have the people who are trained to be able to provide the services in each of the communities, and that's what this government is doing. We are strengthening our base of health human resource professionals. Let me say that we will continue to open medical schools, we're continuing to ensure that there's a financial ability for young people to go through and be doctors, because we believe we need doctors in the future and we have a commitment to improving the supply of doctors and a plan that actually moves us to do that.

## PROVINCIAL SALES TAX

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. We want to know why this government and the Liberals are standing in the way of providing the consumers of Ontario with a reduction of sales taxes. You know that the economy is in trouble. You know that consumer confidence is on the wane. We've asked you to reduce the provincial sales tax by 3% and eliminate it on winter clothing and school supplies. Economists say it would provide an immediate jolt to consumer confidence and the economy in general.

Even the government of Quebec is now looking at reducing their sales tax, and even your own newspaper, the *Toronto Sun*, is calling for a reduction in sales taxes to spur the retail economy. So I ask you, Acting Premier, why are you and the Liberals standing in the way of providing consumers with a much-needed reduction in the sales tax?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** I thank the leader of the third party for that question. It's passing strange. We had in our second budget 65 different tax cuts. I know that the leader of the third party voted against all of those. Welcome to the tax cut bandwagon, finally.

I have to say that, first of all, we on this side believe that tax cuts are more important now than ever. We certainly have been the party of tax cuts in this country. We have been the leader. In fact, because of our efforts I believe the federal Liberals have followed suit, reluctantly, but certainly they have, and now they embrace it well. I believe right now it's very important for us to show the people that we have the leadership to continue to make sure the economy in Ontario is very strong.

Having said that, we believe that the way to do that is through a continuation of personal tax cuts. We stated that at the very start of our mandate. We indicated back in 1995—sorry, I'll continue this later on.

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Hampton:** Acting Premier, it's got to be lonely out there: you and the McGuinty Liberals against 11 million consumers in Ontario. Peter Dungan, an economist at the University of Toronto, says that your policy of corporate tax cuts is completely off base: you're only helping corporations, not helping consumers. He also points out that your personal income tax cut in a difficult economic time doesn't work. People merely put the money away. They don't go out there and spend it to stimulate the economy.

I quote today's *Toronto Sun*, your newspaper: "The biggest single thing Ottawa and Queen's Park could do to boost consumer spending would be to remove the GST and PST on all goods and services from now until the New Year." Your own newspaper says that. Why do you and the McGuinty Liberals insist on corporate tax cuts, tax cuts for the well-off, but you're not prepared to reduce the sales tax, the tax that affects ordinary people across Ontario?

**Hon Mr Tsubouchi:** I must say that I'm a little offended at the statement by the leader of the third party, not so much his speech on the importance of tax cuts—I certainly agree with tax cuts—but clumping us with the McGuinty caucus sort of bothers me somewhat on a very basic level. I must remind the leader of the third party that he did have an opportunity to govern in this province from 1990 to 1995. During that period of time, if I recall, taxes continued to go up. In fact, as late as 1996 the leader of the third party said, "If corporations are not prepared to invest in jobs, then we need to be looking at raising their tax level."

I say to the leader of the third party that when you were in government you tried your approach originally by raising taxes. We had 10,000 jobs exit the province at that time. I welcome you now to the tax-cut bandwagon, but we believe that cutting personal income taxes is the right way to go.

**Mr Hampton:** Acting Premier, over the last four years, we've watched you and the Liberals in Ottawa cut corporate taxes over and over again and cut income taxes for the well-off. But when it comes to the retail sales tax, when we know the retail economy is in trouble, when it comes to the 11 million consumers across Ontario who are feeling a lack of confidence in the economy, you're unwilling to do anything.

I ask you again, what do you and the Liberals have that binds you so much to corporate tax cuts and personal income tax cuts for the well-off that do nothing to help the economy now, and why are you so opposed to reducing the retail sales tax, something that would make a huge difference for modest-income and lower-income families? Why are you so in favour of the wealthy and the well-off?

**Hon Mr Tsubouchi:** I really appreciate the opportunity to respond. Unfortunately, joining together the McGuinty group and our caucus is like joining water and oil, I guess. However, I do commend you, leader of the third party, on joining us in our view in favour of cutting taxes, but I may remind you that we have gone along the personal income tax cutting route for a reason. Over 800,000 net new jobs have been created in this province as a result. Unemployment in this province is at a very low level and certainly the welfare rolls have fallen. I would hazard a guess that our approach to cutting income taxes is somewhat successful and probably somewhat of a lead for the rest of this country. I thank you for joining the tax-cut bandwagon. We welcome you. There is room on the caboose here, but I must say that I believe our approach is the better approach to have.

#### MINISTRY OF HEALTH AND LONG-TERM CARE STAFF

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Minister of Health, but I think the Acting Premier should go back to dented tuna cans; he did better with that.

Health Minister, one of the internationally recognized scientists your government has indicated you're going to fire was asked in August to do important work on the West Nile virus. You know how serious the West Nile virus is. You know how serious it can be for the public health of our society. In August Dr Lo was told that he was to work on the West Nile virus. Then suddenly your government decides his services are no longer needed, the West Nile virus is no longer a threat, and Dr Lo can be fired by your government. Minister, can you tell the public of Ontario why the West Nile virus is no longer a threat to public health and why you can fire the only respected international scientist who was being assigned to work on that important public health problem?



**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** The West Nile virus has been in the media over the summertime and the public health departments in the ministry have been monitoring it very closely. I have a great deal of faith in Dr D'Cunha, who is at the head of the public health division of the ministry. He has made a number of recommendations through the public health departments in every county across the province to ensure we're prepared to deal with the West Nile virus in the ensuing year.

Staff is put in place because of their expertise in specific areas, and in many cases those staff are changed because of changing dynamics within different issues. The West Nile virus is being handled by the public health ministry and they're prepared to deal with the issues that are tied into that in the ensuing year.

1410

**Mr Hampton:** Minister, the public health agencies wrote to you last spring urging a mosquito larvae eradication program. You did nothing, and as a result we have seen over 100 birds test positive for this very serious virus, and we know that mosquitoes across southern Ontario are carrying the infection. Now you lay off the one scientist who could bring some expertise to this.

The associations have pointed out that you are really behind in this. So can you tell us, how does firing the one internationally renowned scientist who knows something about the issue bring forward any kind of effective program to protect the people of Ontario?

**Hon Mrs Johns:** I'm actually quite shocked because I can't believe it when the opposition talks about the West Nile virus. This government has taken that threat very seriously and that's why we've acted. The ministry has been actively working with the federal government, Ontario's health units and the University of Guelph in establishing surveillance and prevention programs. Ontario has been engaged in a surveillance program since May 2001, which we heard a lot about in the paper. The public has been informed about the developments that have happened on an ongoing basis.

We've also had surveillance on humans, mosquitoes and dead birds all across the province, and health units have been engaged to make sure that surveillance happens. In surrounding health units, we've reported and collected dead birds and had analyses done of those. Active mosquitoes: surveillance happened over the summer, which included sending mosquitoes to Brock University and to Health Canada.

As you can see, we've been really involved in protecting the people of the province and Dr D'Cunha has done a fabulous job.

#### DISPATCH SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Associate Minister of Health. Minister, I would like to bring to your attention a serious

matter that is putting lives at risk in eastern Ontario, especially in the community of Ottawa.

Staff shortages, lack of training and outdated equipment at eastern Ontario's ambulance dispatch centre have been described as an accident waiting to happen. In the early morning of September 28 there was only one dispatcher on duty instead of the normal five. These are all problems that the city of Ottawa is very anxious to grapple with and to resolve, but they can't, because you won't give us responsibility for the dispatch centre.

Notwithstanding many promises during the course of the last two years, you still have yet to transfer responsibility for the dispatch centre to the city of Ottawa. Madam Minister, will you now finally give us responsibility for our dispatch centre?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I think it goes without saying that everyone in this House is concerned about quality care and ensuring that people across the province receive quality care. That's why over the last number of months the Minister of Health has entered into a comprehensive review of dispatch services in the province to ensure that we're providing dispatch services in the ways that are necessary to provide that quality of care. That comprehensive review is being done in Hamilton. We're expecting that review to be done over the next few months, and we believe that the recommendations that come from that review will give us a good base to be able to move forward and ensure that we have all of the quality services we need, and in this particular case certainly with ambulance communication centres all across the province.

**Mr McGuinty:** Madam Minister, I'll bring you up to speed on this. The fact of the matter is that the former minister herself said this was a good idea to complete the transfer of the dispatch. Your own government's appointee, the Ottawa Transition Board chair, Claude Bennett, confirmed in writing that this was a good idea to complete the transfer of the dispatch.

We have some very significant problems that we would like to tackle. The problem is that we can't do that because in a very real sense we've kind of got two people trying to steer this car and it's dangerous when two people have their hands on the steering wheel. What we're saying is, listen, give us the responsibility, let us tackle these challenges, and let us begin to do so at the earliest possible opportunity.

Your government has made numerous commitments to transfer responsibility over to the city of Ottawa. The editorial in today's Ottawa Citizen reads: "Ambulance Farce Must End." It's time to bring this to an end. It's time to transfer responsibility for the dispatch centre to the city of Ottawa. Madam Minister, why won't you do that today?

**Hon Mrs Johns:** As everyone in this House knows, dispatch centres are very important to us, ensuring that people don't fall through the cracks when they call an ambulance system. It's important for us to make sure we do a comprehensive review, so that someone calling from

one area isn't serviced because they're not doing the dispatch in a specific area.

What we have done, while we're waiting for the review, is set some priorities in place in the Ottawa area to ensure that we're strengthening the system. We have recently sent two trained call-takers, and we're ensuring that the dispatchers are trained in that area and up-to-date in the newest available technologies.

In addition, we have two full-functioning dispatchers who have been acquired through the regular dispatch training program who are also in Ottawa. We take our responsibilities for ensuring that people receive emergency services in the province very carefully. We ensure these services are available to people. When the review is complete, we will know what's best to do for the whole province. Until then, we are strengthening the dispatch centres in Ottawa, we are working to ensure that quality of care is there, and we are doing this comprehensively.

### ONTARIANS WITH DISABILITIES LEGISLATION

**Mrs Julia Munro (York North):** My question is for the Minister of Citizenship. You are preparing to introduce in the House an Ontarians with Disabilities Act within the next month. This legislation will fulfill a promise made by the Ontario government and is highly anticipated by persons with disabilities and groups that have lobbied on their behalf.

As you stated clearly in the House last week, contrary to what some critics would have the citizens of Ontario believe, we do have a solid foundation on which to build. The government has demonstrated a sustained commitment to persons with disabilities through its investment of billions of dollars in programs and services to support persons with disabilities.

It is also a fact that many communities around the province have been working hard, in some cases for years, to remove barriers faced by persons with disabilities. Minister, can you update us on the type of action that has been taken by some local municipalities that improves the lives of persons with disabilities?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I want to thank the member for the question. I've shared with this House the work undertaken in the seven months since I've become the minister. I've met with about 100 different individual organizations and municipal leaders and had an opportunity to meet first-hand with this community to discuss their concerns.

What I found most interesting was that we could only find about 15 communities in Ontario where the leadership of the municipal councils had brought them to creating local disability or accessibility advisory committees. They work extremely well. These groups—some have been in operation for many years—have been removing old barriers and preventing new ones from being created.

I want to state publicly that these groups have worked very effectively because they put disabled persons in the

driver's seat, working directly with planners and the building departments in their municipalities.

*Interjections.*

**Hon Mr Jackson:** I know the members opposite do not want to hear information about the ODA, but this bill will be tabled in the next—

**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary?

**Mrs Munro:** Minister, it is indeed heartening to know that citizens around the province realize that removing barriers for persons with disabilities is a goal we all share and from which we can all benefit.

Can you provide examples of how these advisory committees and partnerships have resulted in changes that have improved the lives and abilities of persons with disabilities and given them the opportunity to fully participate in their communities?

*Interjections.*

**Hon Mr Jackson:** What I find interesting is that the Liberals opposite, who may have listened to the disabilities community, have failed to make one single promise to the disabilities community. In fact, even the positive models that are occurring in communities like Windsor, Ontario—I was there on Friday and met with over 100 persons with disabilities in Windsor, encouraging them. It was the 20th anniversary of the forming of their advisory committee. These are very powerful instruments for change, and Windsor is a better city for it.

The leadership of Mayor Mike Hurst, Councillor Joyce Zuk, Dean Lebugue, Carolyn Williams—these individuals have been driving reforms in their community. It's a positive model. What I find interesting is that after all the work that the Liberals did, they have been unable to make one clear, consistent promise to the citizens of Ontario with disabilities—not one. You study the problem but you will not make a commitment. This government will honour its commitment—

**The Speaker:** The minister's time is up.

1420

### EDUCATION FUNDING

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Minister of Education. Minister, today in the hallways of the Legislature you'll find local leaders of public education from the Ontario public school boards. They're here to give a report card on your government. The minister will hear later on today what individual members have heard: that the quality of education is declining and students are worse off.

In part what we need to hear in this House is why the minister has been so unsuccessful fighting for students, giving resources to boards, such that we have 17 boards now that have to raid their reserves to educate the kids in those communities. We have \$46 million in special education money missing in Ottawa, \$39 million in teaching money missing in Toronto. We have 20 education assistants laid off in the Limestone board.



On your watch, you have allowed local education leaders to have to make do with less and less. You have allowed education funds to be diverted to fund a corporate tax cut.

What the public needs to hear today and what I'm sure the leaders of local education in this province need to hear from you later is, will you fight for resources for the kids of this province?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I'm pleased to hear that the Liberal Party has reconfirmed yet again their position against tax cuts for Ontario's working families and small businesses.

Secondly, I welcome the school board association officials. I think it's a very wonderful thing that they're doing today, to come and speak to all members of the Legislature. I look forward to continuing to meet with them. As the honourable member should know, I meet on a regular basis with all of our partners in education, and I look forward to further meetings with the school board association.

I'd like to add that the honourable member was saying that certain things are happening on my watch. On my watch, funding for public education has increased every year I've been a minister.

**Mr Kennedy:** Minister, the students and the hard-working local leaders in education deserve better than the myth-making you're putting upon them. They know what's happening in the classrooms across this province, and we hope you're listening and not myth-making when you sit down with them later on today.

A parent survey of Toronto shows that over half of the public believes the quality of education is down because their students are experiencing a lack of textbooks. Queen's University has told you that 50% of our principals are voting in four years with their feet and they're leaving the system in a vote of non-confidence.

I want to ask, will the same minister who supported a private school tax credit to divert money away from the people who are here today, away from their students, stand in the Legislature today and again commit to fight for adequate funds for the students in our schools, to fight for the programs that she's allowed to be taken away? Will you do that, Minister?

**Hon Mrs Ecker:** To the honourable member, I know his party was against higher standards in the curriculum, but that is working out better for students. I know the honourable member's party was against student testing to ensure that our students are able to learn what they need to learn in the new curriculum. I know the honourable member's party is against teacher testing to help ensure that all of our teachers are as up-to-date as possible. I know the honourable member was against legislation that made school boards publicly accountable for where they put their money. I know they are against all those things, but they are things that parents and taxpayers wanted. They are things that we agreed to do; we are doing them.

On the funding side, they've heard me say in this Legislature, and I'll say it again, that of course we need

to increase and continue to invest in public education. We've done it every year I've been here. I will continue to push for public education, because we do recognize that it is an important priority. But you don't simply measure how well your education-

**The Speaker (Hon Gary Carr):** The minister's time is up.

#### COURT SERVICES IN QUINTE WEST

**Mr Doug Galt (Northumberland):** My question is directed to the Attorney General. Minister, for some time there's been a rumour that the provincial court in Quinte West would close. Reports from your ministry indicate that the volume of cases handled in Belleville and Trenton ward is growing and will continue to grow.

It has always been my understanding that people charged with an offence should be tried in their community. This is not possible when courts in rural Ontario are grouped into one central court. Minister, can you assure the people of Quinte West that the present court will remain and will continue to serve the community of Quinte West?

**Hon David Young (Attorney General, minister responsible for native affairs):** This is the first question the member has posed in the Legislative Assembly about this issue, Mr Speaker, but I should say to you and to others that this is not the first time he's raised the issue with me. In fact, the member has persistently, articulately and effectively raised this issue with me on behalf of his constituents. There is no greater spokesperson, no greater advocate for the community.

I should say that no decision has been made with reference to the Trenton court. We are continuing to review the matter. We're continuing to look at the situation there. One thing about which I can assure the honourable member and the citizens of that community is that court services will be available for them. How and where they will be available is something we will continue to talk about.

**Mr Galt:** It's my understanding that a judge in the Quinte area is retiring. Apparently you have recently appointed four new judges to the bench in Ontario; however, the Quinte area did not receive one of these appointments. One of the reasons I've heard for the closing of the court in Quinte West is a lack of an adequate number of judges. Minister, can you assure the people of Quinte West that there will indeed be an adequate number of judges to serve that area?

**Hon Mr Young:** As the Liberals across the way may well recall, the system that is in place in this province, a system they brought in some time ago when they were the government, is a system that does not allow the Attorney General to appoint a judge to a particular area because the Attorney General believes there's a vacancy. The vacancy must be identified by the Chief Justice. I will say to the member that there are no vacancies for that area. The Chief Justice has not identified any and thus there is no judge I can put in there. I will tell you

that the process to fill vacancies is one I take very seriously. If that is indeed the problem, I'm certainly prepared to talk to the Chief Justice about it, but it must be the Chief Justice who initiates the process.

#### LINDSAY-OPS LANDFILL SITE

**Ms Marilyn Churley (Toronto-Danforth):** To the Minister of the Environment: because of your inaction, the Kawartha Lakes council has reluctantly agreed by one vote to seek a 25-year extension of the Lindsay-Ops landfill site. One of the councillors who supported this motion even went so far as to call it evil. By doing nothing about their waste disposal crisis, you forced them to do something that many know is dangerous. In my dictionary Lindsay-Ops landfill means contaminated drinking water. The landfill is only 500 metres from the Scugog River. How can you let this go ahead after Walkerton? I'm asking you, will you protect the drinking water of these communities by saying no to the extension of the Lindsay-Ops dump?

**Hon Elizabeth Witmer (Minister of the Environment):** I'd be pleased to review the information the member has, if she would make that available to me.

**Ms Churley:** Minister, I'll be pleased to do that. I take it from your response that you're not aware of the controversy over the expansion of this dump that has been swirling over your head for some time. Your senior staff warned of this crisis over a year ago. On March 14, 2000, they said that 138 of Ontario's landfill sites are nearing capacity and nothing is being done. What's your solution? Your solution is more pollution.

I'm asking you again today, will you do the most common sense thing here and stop this expansion? Will you at least get together with the member for the area, the member for Haliburton-Victoria-Brock, and sit down and meet with these citizens who are very concerned about their drinking water, should this expansion go ahead?

**Hon Mrs Witmer:** In response to the question from the member, the member knows full well that we are very committed to protecting health and the environment in Ontario. When it comes to issues such as landfill, the member also knows that local municipal governments are responsible for determining where to dispose of local waste. Our responsibility is to ensure the necessary environmental protection measures are in place once a decision has been made by local government. However, if you have additional information that you feel is necessary to review, I would hope that you would bring it to our attention, and certainly we'll follow up.

1430

#### HEALTH CARE FUNDING

**Mr George Smitherman (Toronto Centre-Rosedale):** My question is for the associate minister of health. Madam Minister, as you may know, in June 1997 the Health Services Restructuring Commission made a directive on the forced merger of Wellesley Central Hospital

with St Michael's Hospital. That's taken place, and the Wellesley is now closed.

You may also know that at that time a directive was issued for the opening of an ambulatory care centre, to be called the Sherbourne Health Centre, to be located on the site of the former central hospital. To date, Madam Minister, progress from your ministry in moving forward on the provision of actual patient care has been negligible.

I'm wondering, Madam Minister, now that the promise has been made, if you can inform me and members of my community when this promise will be kept.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I'd like to thank the member opposite for the question. I would also like to say that I think the member knows that the Ministry of Health has been working with the community to try and ensure that this moves forward.

There have been a number of things that have happened. The ministry and the Sherbourne Health Centre are now meeting biweekly to ensure that we move this project forward. The taxpayers of the province have contributed some capital money to be able to purchase a site. There are negotiations about the renovations happening within the province, and we hope that there will soon be answers to that. And of course, operating dollars have been set aside for when it does come into full operation.

We have a commitment to this centre, and it will move forward as quickly as the two parties can come to agreement on a number of issues.

**Mr Smitherman:** Madam Minister, I appreciate your answer, but I would argue that on the details, the slow-down is occurring at the side of the ministry. You made a commitment in your answer that there were operational dollars available for the Sherbourne Health Centre. Can you confirm that those dollars are available in this year's budget, and can you give me your assurance that you'll take a personal interest in seeing that the words that you've used in your earlier answer are actually meaningful in the form of delivering actual patient care to my constituents promptly?

**Hon Mrs Johns:** Well, let me say that I have been briefed by the Ministry of Health. They tell me that these facts are true, so I am sure they are.

We have quite a commitment. As you know, this centre is going to be focused on serving various communities: the homeless and the underhoused, the gay and lesbian community, and the mental health groups. On top of this commitment we have made, we also have a commitment to ensure that the former Princess Margaret site becomes a homeless community too where we can use 500 beds to ensure that we help the homeless in the city of Toronto.

#### TAKE OUR KIDS TO WORK DAY

**Mr John O'Toole (Durham):** My question is to the Minister of Labour. Minister, you know that our government is very supportive of Take Our Kids to Work Day.



In fact, I understand that November 7 marks the eighth year of this initiative.

Minister, last year about 400,000 students visited more than 70,000 workplaces across Canada. The event for grade 9 students in Durham has been very well received by parents, students and indeed business owners. Take Our Kids to Work Day is a great opportunity for high school students to explore a wide range of career choices. I think it's also an outstanding opportunity for a learning experience for employers as well as staff. That's because of the opportunity to meet young men and women who may become employed in the near future.

Employers such as General Motors, Ontario Power Generation and Lakeridge Health support the event with special activities for students. Small- and medium-sized businesses also participate. Business owners such as Tom Mitchell of Old Port Marketing are participating this year.

Minister, what safety precautions are being proposed by your ministry?

**Hon Chris Stockwell (Minister of Labour):** I only had a three-line question there.

Take Our Kids to Work week is obviously going to be a healthy experience and a gratifying one for many children. We all remember the tragic events of last year with respect to the take your children to work week. Since that time, the Learning Partnership has met to determine how it is we can provide a Take Our Kids to Work week that is safe and acceptable in the province of Ontario.

The tragedy has brought home the necessary requirements that are needed to be taken in order to have a safe and happy day for all those kids who go to school. They have made 14 recommendations to the provincial government about what kind of restrictions and authorities we should put in place. We've adopted all 14 of those recommendations, and we hope that when the day comes, it will be a healthy, safe and happy day for those who go. I thank the member for the question.

**Mr O'Toole:** I thank the minister for that very thorough response. Perhaps it wouldn't be a bad idea if you brought your children to follow you around for a day in your very difficult career at the moment.

Obviously, you and the ministry are part of a very considerable effort ensuring the safety of students. That's what I heard you saying; that's what I found most reassuring in your remarks.

To set an example for other employers, what are you as minister personally going to do during the Take Our Kids to Work Day?

**Hon Mr Stockwell:** I intend to bring my son to work that day. It will be great, because I'll get an opportunity to show him how the workplace does work and the effective use of our time that we spend on a daily basis, such as now.

But, to be quite serious, I think we should ask the parents out there, before they actually take their kids to work, to have a conversation with them that's most important. Some workplaces aren't as safe as others, and sometimes we have to make decisions about where and

how those children may move around the workplaces. We know last year a tragedy occurred, and we've tried to learn from it to ensure it doesn't happen again.

But I would like to re-emphasize to all the parents out there that if kids are going to work with them on that day, they've got to be mindful of the place they're going, since they've not been there before, and they've got to be very careful when they do go to work with them.

I want to thank the member for asking the question. I want to tell the members in this House, if they know anyone who's taking their kids to work, to sit down and talk to them before they go, because we must learn from last year's tragedy and ensure it never happens again.

## ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the Minister of Citizenship. Minister, the Ontario Liberal Party, in the fall of 1998, passed a resolution with respect to the Ontarians with Disabilities Act that contained the most clear and unquestionable principles that need to be included in that act—12 principles. Every member of the government caucus who was in the House that day voted in favour of it. The Ontarians with Disabilities Act committee endorsed that; the city of Windsor and its disabilities advisory committee endorsed that; the council of the city of Windsor endorsed that.

Two questions: (1) will your legislation, the Ontarians with Disabilities Act, reflect in their entirety the 12 principles that your caucus voted for in 1998; and (2) subsequent to the introduction of legislation, will you commit today to have public hearings on the legislation itself over and above the consultation that you have quite properly done as minister, not only here in Toronto but throughout Ontario?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I want to thank the honourable member for his question. We have looked at these principles, and that's exactly what they are. One of the principles makes reference to an Ontarians with Disabilities Act having primacy over all other acts in the province of Ontario. There has been some concern expressed from municipal leaders all across Ontario that they did not envisage the fact that legislation would have primacy over, for example, the Municipal Act, the Planning Act or the building code, which deals with a broad range of issues. So, although municipalities, well intended, have publicly stated they support persons with disabilities in our province, they have expressed concern to this government that legislation does not usurp or undermine the authority and the time-honoured role that municipalities have in Ontario. That was also part of my discussions with Mayor Mike Hurst, whom I met with in Windsor on Friday, and it is the official position that AMO has taken as well.

**Mr Duncan:** I think that precisely gives the reason why we need to have public hearings. I agree, Minister, you are wrestling with a number of very difficult issues. I

think the Ontarians with Disabilities Act committee would agree with that.

We would propose to you today, sir, that there be public hearings and that they be held across the province. We all want to see this act passed quickly, but we also want to ensure that persons with disabilities, as well as other stakeholders, have an interest.

You'll be aware that the United States Congress and Senate held extensive public hearings subsequent to the introduction of the Americans with Disabilities Act and received tremendous input.

Will you commit today, first, to full public hearings; second, that those public hearings travel to at least five communities in this province, preferably geographically dispersed; and third, that we can schedule those or begin to schedule them even before introduction of the legislation to allow people with disabilities the proper time to prepare to participate in those very, very important discussions?

1440

**Hon Mr Jackson:** First of all, I want to thank the member opposite. I know he and his caucus have contacted our House leader. Our House leader has had discussions with you about our willingness, once the legislation is tabled, to ensure that there are opportunities in various locations around the province of Ontario in order that the committee of the Legislature is able to conduct appropriate dialogue with citizens with disabilities, with municipal leaders, with stakeholders, with the private sector, with universities, colleges and hospitals—all those sectors that will be affected by the first comprehensive disability act in our country.

So there is a strong willingness on our part to participate in that process. We will work out those details with our House leader, but I look forward to tabling that legislation within a few short weeks. I know I can count on the members opposite to participate in those discussions on a very positive and go-forward basis to ensure that we can bring in Canada's most comprehensive disabilities legislation.

#### ENDANGERED SPECIES

**Mr Garfield Dunlop (Simcoe North):** My question is for the Minister of Natural Resources. I understand your ministry works on many fronts to help protect, enhance and restore the habitat and populations of many threatened and vulnerable species here in the province. Minister, can you tell us more about these efforts, and specifically about your ministry's efforts to help the polar bear population in the far north of Ontario?

**Hon John Snobelen (Minister of Natural Resources):** I want to thank the member from Simcoe North for such an excellent question today. In fact, the Ministry of Natural Resources is committed to protecting species at risk in Ontario and is proud to offer significant protection to endangered species and, importantly, their habitats. As a matter of fact, this government last year made an unprecedented financial commitment through Ontario's

Living Legacy of an additional \$2 million for species at risk.

Earlier this year I had an opportunity to see first hand some of the good work our people are doing to monitor the ecology of polar bears in northern Ontario. Mr Speaker, this will be important to you. Polar bears are classified as vulnerable because of their long lifespan and infrequent breeding. I feel, by that definition, Speakers are probably vulnerable too.

Anyway, we think it's very important to gather as much data as we possibly can so that we can learn more about polar bears, more about their habitat and more about changes in a very delicate ecology.

**Mr Dunlop:** Thank you very much for that answer, Minister. I understand that another species, which was wiped out in Ontario in the 1800s, the elk, has actually been brought back and is being restored to its natural range in Ontario by this government. Still, I understand that some people refuse to believe good things are happening in our natural areas, even efforts to bring a species back from non-existence.

A recent editorial in a Toronto newspaper, in an apparent attempt to use current world events to scare people, claimed that restoring elk to Ontario could lead to many frightening diseases, including chronic wasting disease. Minister, can you speak to the truth of this great restoration project and counter some of the silly fearmongering?

**Hon Mr Snobelen:** As my colleagues have pointed out, while we've had some great success in recovering the elk herd in Ontario, about which I will say some more, we have done little to recover Ang.

I can say that because of the work of volunteers throughout Ontario in a great number of volunteer organizations, there are now over 400 elk restored to their natural habitat in Ontario. It has been a great victory for those volunteer organizations. We've been proud to work with them.

The article that the member mentioned was wrong in many ways. Let me just point out a few of those. The chronic wasting disease he points to is found only in farmed elk and is not transferred from farm elk to wild elk. Also, as everyone knows and my colleague has pointed out, elk are not a game species in Ontario. So the article was wrong. There is no need to be alarmed about that, and we are very proud of the efforts of volunteers across Ontario in restoring elk.

#### CONTAMINATION IN PORT COLBORNE

**Ms Marilyn Churley (Toronto-Danforth):** To the Minister of the Environment—yes, you again. Minister, you know and the people of Port Colborne know that they are surrounded by poisoned soil. What they don't know is how far the contamination has spread into their homes. That's because you won't help them find out because you will not conduct interior tests. You can imagine that they're frightened, and that is totally unacceptable to them. I'm asking you, Minister, will you direct your staff today to go into the homes of the people



of Port Colborne and find out if those people are living in peril?

**Hon Elizabeth Witmer (Minister of the Environment):** As the member of the third party knows, the Ministry of the Environment has been very actively involved in the Port Colborne area, working with the medical officer of health to ensure everything is done to ensure the public health and safety of the residents of that community. Certainly the district office of health has been leading the way when it comes to ensuring the protection of those individuals.

**Ms Churley:** Minister, my point is exactly that: everything is not being done and I want you to intervene. You are about to issue a report identifying the level of contamination at which cleanup is required outside, but what good is that if you ignore the health threat that may be lurking in people's homes? You understand what's going on here. Winter is coming. Families in the eastside community will be spending more time indoors. We know from the testing they've done themselves, which they paid for themselves because you wouldn't do it, that levels of home contamination are in some cases higher than that outside.

Minister, I am asking you again, will you send your staff immediately to Port Colborne to do the testing inside the homes, especially the sophisticated tests required to identify nickel oxide, which is a proven carcinogen? Residents need to know they're safe, and if they are not, they want something done about it.

**Hon Mrs Witmer:** This government has done more to assist the residents of Port Colborne than any previous government. The issue of contamination is not one that has recently become a problem; it is an historical problem. Let's remember that there are two ongoing health reports, one conducted by the MOE, a human health risk assessment on extensive soil sampling; there was also a local MOH health study done to take a look at the short- and long-term health risks associated with the broader nickel contamination in Port Colborne.

The ministry has undertaken additional soil sampling. The local MOH has indicated there is no immediate risk to human health. We are continuing to provide information on a regular basis to the residents. As you know, we will be releasing a report shortly. We are working cooperatively with the local MOH and everything possible has been done to ensure that the health of those residents is protected. That is our number one priority: the health of the residents.

#### MEMBER FOR SCARBOROUGH-ROUGE RIVER

**Mr Mario Sergio (York West):** On a point of order, Mr Speaker: From time to time we recognize guests coming to the House. Today I'd like to rise on a point of order and recognize one of our own members who has received a very distinct acknowledgement from the wonderful nation of Jamaica. Our member Alvin Curling received the Order of Distinction with the rank of com-

mander. I think it is a wonderful honour that has been bestowed on our member here.

**The Speaker (Hon Gary Carr):** That's not a point of order, but I'm sure all members join in wishing him well in his honour.

#### BUSINESS OF THE HOUSE

**Hon Janet Ecker (Minister of Education, Government House Leader):** Pursuant to standing order 55, a statement of business of the House for next week:

On Monday afternoon we will begin second reading debate on Bill 111. On Monday evening we will continue third reading debate on Bill 56.

On Tuesday afternoon will be a Liberal opposition day. On Tuesday evening we will continue debate on Bill 111.

On Wednesday afternoon we'll continue debate on Bill 110. On Wednesday evening we will continue debate on Bill 111.

On Thursday morning, during private members' business, we will discuss ballot item number 29 standing in the name of Mr Murdoch and ballot item number 30 standing in the name of Ms Bountrogiani. On Thursday afternoon we will continue debate on Bill 30.

1450

#### PETITIONS

##### CRUELTY TO ANIMALS

**Mr James J. Bradley (St Catharines):** This petition is addressed to the provincial Legislature of Ontario.

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities and also strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I affix my signature and am in full agreement.

#### MUNICIPAL RESTRUCTURING

**Ms Marilyn Churley (Toronto-Danforth):** I have a petition here with over 200 signatures on it out of 11,000 on this subject. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

I completely support this petition and will affix my signature.

#### HIGHWAY 407

**Mr John O'Toole (Durham):** Mr Speaker, you know I have presented this petition before on behalf of my constituents, and I will do so until changes are made.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into Durham region and the proposed route, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd in Oshawa," which is in my riding;

"Whereas such routing will destroy completely five holes and severely impact two additional holes, effectively destroying the golf course as a viable and vibrant public golf course,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternative routes, thus preserving this highly regarded public facility, patronized annually by thousands of"—not just my constituents, but—"residents"—not just of Durham, but all of the GTA.

I'm looking at this number of thousands of petitions here, and I'm presenting them directly to the Minister of Transportation. I'm pleased to endorse this petition as well.

#### LONDON HEALTH SCIENCES CENTRE

**Mr Bruce Crozier (Essex):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

In support of it, I put my signature.

**Ms Caroline Di Cocco (Sarnia-Lambton):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children of southwestern Ontario, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I affix my signature to this petition.

#### EDUCATION TAX CREDIT

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I submit a petition entitled *Support Choice in Education*.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and



"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education; and

"Whereas legislation has been passed to implement an equality in education tax credit;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage the government to stay the course. Fairness in funding is long overdue. We ask the government to move as quickly as possible to phase in the equality in education tax credit."

I support the signatures on that petition, and I add my own.

#### EMERY ADULT LEARNING CENTRE

**Mr Mario Sergio (York West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas, due to the Harris government's continued erosion of funding for education, the Toronto District School Board may be closing the Emery Adult Learning Centre in June of 2002; and

"Whereas many of the students at the Emery Adult Learning Centre are new Canadians who need to further their education if they are to become productive citizens of Ontario, and they do not want their school closed; and

"Whereas Mike Harris is cutting the heart out of the community by closing the Emery adult day school programs, whose students need this type of education to get off welfare, need better job prospects, and need to learn skills necessary to contribute to society;

"Now, therefore, we, the undersigned citizens of Ontario, petition the Legislative Assembly of Ontario as follows:

"We call upon the Minister of Education, who has the primary responsibility for providing quality education for each and every student in Ontario, including adults, to:

"(1) Listen to the views being expressed by the teachers and students of Emery Adult Learning Centre who are concerned on the implications and disruptive effects of the school closure;

"(2) Recognize the fundamental importance of adult education for new Canadians who need help settling in our neighbourhood communities;

"(3) Live up to the government's commitment to provide adequate funding to meet the education needs of adult students across the province, and not allow the closing of Emery Adult Learning Centre."

I concur in the content of the petition, and I will affix my signature to it.

#### LORD'S PRAYER

**Mr John O'Toole (Durham):** I present a petition on behalf of the Harmony Road United Church in my riding in Oshawa. Betty Greentree is the secretary.

"To the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I'm pleased to support my constituents by adding my name.

**1500**

#### CRUELTY TO ANIMALS

**Ms Caroline Di Cocco (Sarnia-Lambton):** This petition is to shut down puppy mills and to stop cruel animal breeding activities by passing MPP Mike Colle's private member's bill.

"To the provincial Legislature of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities and also strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the Society for the Prevention of Cruelty to Animals to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I affix my signature to this petition.

#### OHIP SERVICES

**Mr David Christopherson (Hamilton West):** I have further petitions from my riding of Hamilton West that read as follows:

"Whereas the provincial government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, transcutaneous nerve stimulation therapy and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I add my name to this petition as I'm in support, and I'm very proud to hand off these to Emily Baker from my riding of Hamilton West, whose family and friends should know she is doing a fantastic job here on behalf of the people.

## POVERTY

**Mr Mario Sergio (York West):** I have another petition addressed to the Legislative Assembly of Ontario.

"Whereas we are seniors and low-income people finding it very hard to live and pay all expenses every day; and

"Whereas with all the increases in our utilities in the last several months, we no longer can afford to have a warm house, or buy enough of a variety of foods, or buy some of the drugs that we desperately need; and

"Whereas we feel helpless, abandoned and totally neglected by our own government; and

"Whereas, without some sort of assistance from our government, either in terms of subsidy or lowering the cost of utilities, especially the gas for heating, we will have to seriously limit the quality and quantity of prescription drugs, or decide to buy food or pay the ever-increasing utility costs;

"We, the undersigned citizens of Ontario, petition the Legislative Assembly of Ontario to help us live in dignity and with compassion and care."

I concur, and I will affix my signature to it.

## ORDERS OF THE DAY

### QUALITY IN THE CLASSROOM ACT, 2001

#### LOI DE 2001 SUR LA QUALITÉ DANS LES SALLES DE CLASSE

Resuming the debate adjourned on October 22, 2001, on the motion for second reading of Bill 110, An Act to promote quality in the classroom / Projet de loi 110, Loi visant à promouvoir la qualité dans les salles de classe.

**The Speaker (Hon Gary Carr):** Further debate?

**Mr Mario Sergio (York West):** I believe there is unanimous consent—

**Interjection:** To allow you to pick up where Dave Levac left off?

**Mr Sergio:** Yes, to continue where we left off yesterday, I believe.

**The Speaker:** Is there unanimous consent? Agreed.

**Mr Sergio:** The continuation of the debate is on Bill 110, or as we call it, the act to promote quality in education or, if you will, quality in the classroom. I don't think anyone would disagree with that particular heading. When the government introduced the bill, that's the way they chose to present it to the House and to the public: quality in education, quality in the classroom. Who can disagree with that?

I think all the members of this House agree that we are looking for quality in education, quality in the schools, quality in the system, quality in the classroom. I don't think you would find anyone out of this chamber here who would disagree with that particular statement of creating quality education in the classroom. I don't think you would find it among the students themselves. I don't think you would find it among the parents, among the politicians, among the educators, teachers. I don't think anyone would disagree that yes, indeed, we are looking for quality education in the classroom.

Why are we looking after six years of this government being in power? Why are we looking on this particular day for so-called quality education? What has happened in the last five or six years? Was something wrong before, or has something happened during the course of the last five or six years? I would say the latter prevails, because since this government came into power, perhaps deliberately—I'm not saying yes, it was; perhaps—they created a crisis. Of course, they came down with cuts, and they created a wonderful confrontation in all the various sectors. They created confrontation in the classrooms, with the educators, with the teachers, with the staff and with the parents, with the unions, with the students and everybody else connected with our so-called education system. We are dealing with this particular bill today to bring back some quality education, I hope, because of what happened in the past five or six years.

Has the government learned anything as to why we are here today, what they have done? I don't think they have learned anything, because this bill, even the way it has



been presented, is not going to bring any peace to the situation or to the crisis they have created. It's not going to bring quality education when you are missing the most necessary ingredient: funding. They did it their way, as they did many other things. Funding. They changed the formula, let alone the cuts, which I hope to address in my few minutes, if I have time. They went ahead and they decided to change the funding formula. Did they advise anybody? Did they seek anybody's advice: the educators, student bodies, teachers, parents, even this House? We told them it was utterly wrong to change the funding system—not only to change it, but in the way they did it.

On top of that, of course, they have executed a tremendous number of cuts, which have decimated the funding for our education system. On top of that, we have seen most recently in this House, in the last budget, to the surprise of everybody, even most members of the government, on top of all the cuts and the crisis they had created in the education system, they went ahead and took away, I would say, at least another \$300 million from the heart of the public school system and said, "We're going to give it to the private sector," or religious schools or whatever they want to call it. It is money that is coming out of our public school system classrooms and given to others.

1510

This will not bring any betterment to the education system as we know it. It cannot. I believe that everything that is connected with the education system, not only what you see in the classroom, has to do with the education of our children. The cuts they have made and the way they have created the new funding are not only affecting the young ones from kindergarten age, elementary school, high school; they're affecting post-secondary education, colleges and university, and adult education as well. It is affecting every sector of our education, even closing schools in communities, and yes, it does affect parents, of course, and children as well.

Try to get a community centre, try to get the gym in the local school, in the local neighbourhoods, which used to be, and still should be—and in many areas still is—the cornerstone of those communities. Try to get the gym for community use. Forget it. It's gone. It's no longer there. Oh, yes, physically it's there, but if you want to use it for a community meeting or a parents' meeting, or whatever, you've got to shell out a lot of money, something like \$375 to \$450 for about two and a half hours. How many local groups can afford to lease or rent or get a permit for their local school gym, which has been paid for with their tax dollars? I don't think many groups can do that.

Yes, I think the government is recognizing today that we don't have the quality education that we used to have perhaps, or that we aspire to have. Are they changing things to make it better? I don't think so. They are going about it in the very wrong way.

In the past week alone, I think I have attended some four meetings. One was with respect to after-school programs: 48 kids are in and another 38 are waiting in line. What a beautiful program, to see those kids in a

healthy, clean, safe environment. Those kids were saying, "We like to be here after school because we don't have anybody at home. We have been told that it's not safe to be home by ourselves." These are young ones. "It is great that we are here. I can't be home because Mom has got to go to the second job," another problem created by the effects of the government. That's one area.

At another meeting I was at they are continuing to close down one of three major high schools, only because the capacity is not met by about 63 students. Can you imagine how the community must feel, that they may have to close that particular high school in that very large community because of 63 students? It's terrible.

I think it's terrible for the people that they have to make that decision as well, that they had to present it to the parents. It's got to be very difficult for the trustees who have to make a decision, for the staff they have to face, the parents and the community when they go to those meetings and they have to say, "Look, it's not us. We don't want to do it, but it's them, it's your government. It is the funding formula that is not allowing us to keep the school."

As you can see, the effect of the various cuts and the effect of the new funding formula has very severe and large ramifications. Is this the way to go with this bill? Will it solve all the problems? Absolutely not. It will not solve the problems. It will not do justice to correct what the government has done in the last five or six years.

I would remind the government that as we continue and move toward ending the debate—I'm sure that with the majority the government has, if they want to ram this bill through, they will. They will pass it. They continue to do the same thing they did with past bills—in their own way. Regardless of what people outside say—the students and the parents—regardless of what we say on this side, they will go ahead and approve it.

But let me remind the government that for the past six years they have done exactly the contrary of what the unions, staff, teachers, parents and the opposition in this House have been saying. What you're doing is wrong. The way you're going about it is wrong. I hope they will get it.

**The Speaker:** Questions and comments?

**Mr George Smitherman (Toronto Centre-Rosedale):** I'm very pleased to offer some comment on the excellent presentation by the member from York West, which I believe follows on yesterday's equally impressive speech by my colleague the member from Brant.

The member from Brant, as many members will know, is an educator and former principal. I think he offered the kind of comment that gets right at the heart of this government's measures, which strikes at the distinction that is so often the case with this government between the quality of their rhetoric and the quality of their actions.

I'm a Toronto member. I represent the diverse downtown riding of Toronto Centre-Rosedale, which is home to an incredibly challenging population—challenging in the sense that many of the kids who go to school in my riding don't necessarily have English as a first language.

There are also many kids who are poor. One of the factors that I think it's very important for me as a representative of that riding to continue to impress upon members of the government and the public is the extent to which the quality inner-city programming of the Toronto District School Board has deteriorated dramatically under this government.

I have the honour of moving into Cabbagetown on January 29, and I'll be living across from Winchester school, which is a great example. It celebrated its 125th anniversary a couple of years ago. It used to have a gifted program, but as a result of the funding challenges of the Toronto District School Board brought about by this government, that school's advanced classes have been taken from them.

I want to remind members that the Minister of Education in an answer earlier today said that quality education is not necessarily reflective of how much you spend. But the fact of the matter is that the rhetoric of just doing more with less falls awfully short for many of my constituents.

**Mr Michael Prue (Beaches-East York):** I listened with some interest here today about school facilities. I had not heard the argument that was made by the member, and it's absolutely true. The schools, which were once the centre of all things neighbourhood in our communities, are really not there because they can't afford to be there any more. Where there used to be dances in the evenings from the parents' associations, they can't go there any more, and the dances are now held in churches or not at all. Where there used to be events in the evening like Boy Scouts and Girl Guides, they're not there because they can't afford to be there any more. Where there used to be children playing and basketball games and pickup games, they're not there any more. The schools are lying barren and vacant, and what used to be the heart and soul of communities and neighbourhoods is simply not the same.

Now, it's all well and good—and I take the government at its word that they are looking at education, and only teacher education and nothing else. But what has been lost in that whole formula, is exactly what the member talked about. I hope the government members listened to him, because he hit a kernel and a very strong element of truth, that schools and education have to be more than just teachers, more than just students, more than just testing. They have to be the heart and soul of the community, because it is around those schools—and around the churches that predated them, I guess—that the neighbourhoods were built. Without that link, that very real link—I guess there's no other word—to the community, a great deal will be lost. I commend him for drawing that to our attention and hope the government, when they're doing future funding formulas in other bills, will start to look at our schools as resources rather than places where they simply try to move these kinds of motions to further test teachers.

1520

**Mr Wayne Wettlaufer (Kitchener Centre):** It's really interesting, listening to the comments across the way.

I'd like to give you a little history. About 40 years ago, Ontario was recognized as having the best education system in the world, and that has gradually deteriorated. What our government has tried to do is not to address just the teacher area—although that's where most of the objections for the changes have come from, the teacher unions—but we've tried to address it in a number of areas, whether it be curriculum, guaranteed funding in the classrooms, guaranteed funding for textbooks, which wasn't there before. We heard that when we went around the province on the public hearings into Bill 160. We heard the number of schools that were making do with elastics and tape on books that were 30 and 40 years old.

We've made a lot of changes and we know there have been some objections and some concerns, but there is no doubt about the emphasis that this government is placing on improving quality in the classroom. In the early 1980s we were becoming aware as a populace, as a result of comments being made by the world of academia, that the graduates from high school were not properly prepared for university. This deteriorated even further.

I can remember when we got elected in 1995, I was speaking with David Cooke—not David Cooke of the NDP but the former Liberal member from Kitchener—and he said, "Wayne, make sure that with your education reforms, you carry them out. Don't wimp out like we did. We didn't have the guts to carry it out." The NDP government, as you're quite aware, initiated the Royal Commission on Learning, and our government is trying to carry out the reforms that commission recommended.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is a pleasure to join in the debate this afternoon on Bill 110, Quality in the Classroom Act, 2001.

Different speakers have talked about various issues. One of the things that keeps coming back, especially from the member of Toronto Centre-Rosedale—as if to fix everything, you just keep throwing the money. I think it's very important to bring accountability back. You just can't solve everything by throwing the money.

I do understand that with a lot of kids and immigrant kids—and I've gone through that in terms of somebody coming in, and they don't know English. I think we have a great system where kids are very quickly integrated into the system.

One of the members mentioned, I believe it was the member from York West, the closing of some schools. I come from a riding, Bramalea-Gore-Malton-Springdale, as you know, where we have a lot of new schools opening up. I think what is happening is that it's a tough choice, and somebody has to make that choice.

The fact of the matter is that people do move. We forget that. In fact, in my own neighbourhood there was some land left to make a new junior school, but it was not used. They found out that the people moving into that area had families that were grown up already, so they did not need that junior school.

You have to make sure the schools are there for the people if they need them. At the same time, if people have moved away, it's very simple: the schools are not



needed. You have to make the tough decision that if the critical mass is not there, then you have to make a choice. I want to make sure that people understand that.

Portables have been my concern for the last 30, 35 years that I've been involved in the system. I think my time is running out. We will try to address the portables.

**The Acting Speaker:** The member for York West now has up to two minutes to respond.

**Mr Sergio:** My thanks to the members for Toronto Centre-Rosedale, Beaches-East York, Kitchener Centre and Bramalea-Gore-Malton-Springdale.

If there is more evidence needed for the members of the government, I think they should be looking at the poll conducted just a few days ago which confirms that we have a massive crisis in our education system, and they are not moving to solve it. What did the poll say? Of the parents not supporting the public school system, 63% said the government is spending too little on the public education system. Of those supporting the public school system, 71% said—this is six years later, after we have seen the crisis—the government is spending too little on our education system. If this is not enough, 43% of the general public is saying to the government that your funding formula is one of the major reasons why we are having such a problem today in the education system.

Evidently they may not be bothered, Mr Speaker, because just very recently they went ahead and removed \$300 million from the education system and gave it to other boards. That must have had a very devastating effect, and this must be a tremendous weight on the educators, on the trustees, on the students, on the parents and everybody else who has to do with giving that quality education to the classroom students.

I hope the government is listening, I hope they will understand, and I hope they will abide by the feeling of the people.

**The Acting Speaker (Mr David Christopherson):** The floor is now open for further debate.

**Mr Prue:** Teachers in this province have always been tested. I challenge anyone to tell me a time when they were not. Going right back to the turn of the century, teachers were tested by their principals, teachers were tested by their superintendents, teachers were tested sometimes by their peers. But they have always been tested.

When I was a boy in Toronto Centre-Rosedale, at Lord Dufferin school in Regent Park, I used to watch every few months when whoever was my teacher at the time would be tested. Someone would come in from the school board downtown; the principal would come in. They would sit at the back of the room, and you could tell on those days that the teacher tended to be a little more nervous and a little bit more careful when he or she was teaching. But the teacher was always tested, the teacher was always watched, and people generally knew whether the teacher was doing a good job within the confines of the system, be it the Toronto board or be it Lord Dufferin school.

Later, as a young man, I was a supply teacher for a while with the Toronto board, and I want to tell you that I

was tested. Somebody would come and watch the supply teacher as he taught and would watch his interaction with the students. Someone would sit at the back, whether that was the department head or the principal at the schools in which I was a supply teacher. The teachers were tested.

What is happening now, with the greatest of respect, is not that the teachers are tested; they have always been tested. What it is now is that there will be a qualifying test, not by the superintendent, not by the persons trained to work with them or even their own peers; the test will be imposed by the minister. That is the difficulty here—not that the minister isn't a good minister, of course. I'm sure that at least 50% of the members of this House would think she was a wonderful minister. But the problem is that the professional teachers, because of what has happened over the last number of years, will wonder whether this is a system which is fair to them. They will wonder whether this is a system that is any better, or potentially much worse, than the system they had been used to for all of the last century.

I ask the members opposite, what other profession can you name that has the Minister of Education or a minister of this House impose tests upon them? Other professions have tests. If you're a doctor, you are tested by your own College of Physicians and Surgeons. If you are found wanting or your credentials need to be updated, they will be the group that looks at you and sees whether you've done a good job. If you are a lawyer, it is the same thing. You will go before the Law Society of Upper Canada, and the Law Society of Upper Canada, your own peers and professionals, will determine whether or not you still meet the qualifications or if you have somehow abrogated them. If you are an engineer, there's the society of engineers of Ontario that will make that decision.

**1530**

But if you are a teacher, it will be the Minister of Education. It will be a government bureaucrat; it will be the minister. It will be a political decision whether you're qualified to do what you are doing. I do not blame some of the teachers for being just a little wary. I do not blame them at all for thinking that this is an incursion upon their profession, an incursion upon what they do, and do so well.

Why is there now a need to change the system? After all these years, why is there a need to change this system? I've asked myself over and over again on this bill, "Why today?" Is it because the teachers are demoralized? Of course they're demoralized. Is it because the system is in some kind of chaos after the last five years? Of course the system is in chaos after the last five years. Is it because there's no more money in the system and this is some way of sidetracking you? Of course that's true too. But why today? Is it because of the underfunding?

Maybe I have a different perspective from some of the members here in the House. It's a different perspective because of where I grew up, and that was in downtown Toronto, not too far from here. You could actually walk from where I grew up to here in about half an hour. It was in Regent Park.

The people who lived there were very poor. The people who lived there, most of them, by and large were uneducated. The people who lived there during the later part I lived there were increasingly more immigrant-based families. They understood, though, one thing, all of them: they understood the value of a good education. They understood the value of teachers who cared. They understood the value of people who would fight for them, who would give a poor kid a chance, who would share the book or stay after school. They understood the difference between someone who wanted to learn and someone who didn't. They stretched that limit. They did everything. I have only the fondest memories of the teachers in Regent Park. I have only the fondest memories of Lord Dufferin school.

Some people might find that rather strange, to have fond memories of such a place, but I have those fond memories because those people always went the extra mile for the kids. There were always classes after school for those who needed them. There were classes for us to learn about science. There was a science club, a drama club, a French club. All of those things existed, and the teachers did it because they loved to teach, because they were professionals and because they were community people.

I don't know whether they have that same feeling today, because they've been beaten so often and beaten so badly. I don't know whether they have that, and I can only blame a system that has changed them from some of the most profoundly wonderful people in our society to those you now feel need to be regulated, watched and carefully monitored in everything they do, and you set up bureaucracies to do it. It is a sad day.

Let me go now to what is really happening in our schools while we talk about the need to test teachers, this overwhelming need to test teachers, who have always been tested. Look at what is happening in our schools. Last night I had the honour of attending with a group of people in the Crescent Town area near Victoria Park and Danforth, for those who know Toronto well. It is a home of high-rises to, I guess, 8,000 or 9,000 people who live in eight or 10 high-rise buildings. It's very dense, and in the centre of that community is a wonderful little school, which unsurprisingly is called Crescent Town school.

We went there last night on a safety audit, to walk around after dark in the schoolyard and in the walkways leading up to the school, and in the bushes and trees and things that are still in that urban environment. I want to tell you of the disappointment those of us who walked around had. We were disappointed because of the safety factors that used to be at that school that are no longer there. We were disappointed to see that lights that had been put up at great expense over the years now no longer had bulbs in them. We were disappointed to see that lights that were supposed to turn on when intruders came close to the schools no longer functioned. We were disappointed to see sidewalks full of cracks and holes, which obviously, when the winter comes and the snow and ice and the freezing, are going to be icy and slippery

spots where children will be hurt. We were disappointed to see the state of the outer building, which is now starting to go into decay, although it is not particularly all that old.

A few weeks ago I had an opportunity to talk to some teachers and principals of other schools in the neighbourhood, in that wonderful place that was once called East York, and I guess still is called East York for those who live there. A principal in Toronto-Danforth talked about the lack of money for caretakers, that there are no caretakers there any more. One of his duties every day is to go around to the washrooms and to actually clean the toilets. So instead of working with the teachers who are now going to be tested, instead of providing them advice and his experience on how they can better manage their classes and work with the kids and teach the curriculum, he takes an hour or so every day to do janitorial work because there's nobody else to do it, because the funding formula will not allow the schools to be cleaned.

We look too at what other things are happening. In Hamilton they've asked the people who live there what they think of the conditions of their schools, and the number one response was that the people there find their schools to be dirty, and they are dirty. There are not enough janitors, there are not enough caretakers, there are not enough groundskeepers.

I challenge any of the government members to walk around the schools in your neighbourhood at night, after everyone has gone, and tell me if there's garbage on the lawns. I want to ask you whether somebody has picked it up; or when it snows, whether it's adequately cleaned up right away. I want you all to ask yourself if the physical school grounds are in better or worse condition than they were five years ago. If you can't say they're better, then that means something is wrong with the funding formula you have announced, something is wrong with the capital projects you have supported.

I'd like to talk a bit about the swimming pools in Toronto. It's quite an issue in Toronto. It may not be in other places where the school boards did not have pools, but because the Toronto board as it existed prior to amalgamation had its own taxing power, it had a fairly rich base. It had the wherewithal to do things that other communities maybe could only dream of. Because it had that in existence side by side with the Toronto city hall, and I guess the city halls of the other five municipalities, it had money and it went into joint ownership with the city to put in a number of pools. In total, they put in 84 swimming pools. Those pools are not just for school use. They were for community use in the evenings. But what happened was that over time many of those, because there were other available community pools or because maybe in some of the places there wasn't the demand, became pools primarily for the use of students. Today there are 84 pools in Toronto that are in danger of being closed down because there is no funding formula that allows for them to remain in place.

When I asked Mrs Ecker a couple of days ago during question period, her statement was quite blunt, and I



thank her for being blunt. She has no intention whatsoever of helping to keep those pools open. I don't know what the government intends to happen—fill them with sand—because I guess you can't leave them empty, you can't leave them full of stagnant water. You can't do anything, I guess, except fill them full of sand so that no one is hurt who might happen by and fall down an eight- or nine-foot embankment of a concrete pool. I guess that's the fate of our schools in Toronto as far as it goes for the swimming pools. The children in this city who used to know and learn how to swim will no longer be able to do so. Their pool, which was once a place of excitement, will no longer be that way. In the summer-time, when it's very hot, they're going to have to find alternate places to go. Hopefully, all of their parents have a cottage in Muskoka.

1540

We then turn to textbooks in the schools. When I was a boy, and I'm sure when all the members were boys or girls, there were always adequate textbooks to be had. Certainly I don't ever remember sharing one. But today in Toronto schools 66% of the textbooks are shared by the students. In Toronto schools today, 63% of the students who do have a textbook, even when they share it, have one which is worn out, the cover is off or has pages missing. It's just worn and it's outdated.

The Toronto Star reported that the school board did a poll trying to figure out what people thought. The previous member spoke about that, so I don't want to spend a long time on that, but I will tell you that the consumer and the citizen patience with what is happening in our schools is starting to take a completely new turn. Whereas before it may have been fashionable to attack a teacher, whereas before it may have been fashionable to say we're going to cut the fat out of the schools, I want to tell you that is no longer the case today.

That poll came as absolutely no surprise to me. Knocking on the doors, as I did just a couple of months ago, education was probably the big issue. It certainly was the big issue for people who had children in the system. Almost to a person, they recounted the stories of the decline in their schools, the decline in their neighbourhoods because of the schools, the decline in their children's education and the despair many of them had for hoping that their children would have a good education. I did talk to a few who were seriously considering sending their children to private schools, and that has to be a very sad thing for a province which once had the finest education system, I am convinced, in the entire world. I wish we could say that today. Ontario has gone from having one of the best systems in North America to having the worst system of every single state, except Mississippi—I think there's one that's actually worse—and worse than any of the provinces in terms of how much money we spend, the curriculum we have and the ability of our teachers to teach it.

We also have to think a little bit about all of those poor kids who have special needs. There are 37,000 kids on the waiting list for special education, and last year the

number grew by another 2,000. Their needs are not being met. Whether they need psychiatrists or psychologists, whether they have learning disabilities, whether they have dyslexia, they are not having their needs met. Those children will grow up and, unfortunately, if something is not done, will have a lifetime of disability. We need to start looking at that and spending the money.

I personally have no children, but I will tell you, I believe with all my heart that the people in this province would be willing to pay if they knew that the children who are there would receive an education equivalent or better to the one which they themselves received. They would not begrudge that money. As a matter of fact, I don't know of anyone who would begrudge it. If the government were to announce that they were going to increase taxes—something I think they could never do—and that money would be spent on the children and the education system in this province to bring it back up, I'm telling you, I think you would be surprised that a majority of people would agree to that.

It is a myth to say you are spending more on schools, as you say. It is an absolute myth. Enrolment has grown. You do not factor that in. There are 4% more children in the schools today than there were in 1995. The children who are coming here are not necessarily children who understand our whole society. Many of them are immigrant children, particularly in Toronto, Hamilton and Ottawa, who need ESL.

**Hon Chris Stockwell (Minister of Labour):** Spending is up more than 4%.

**Mr Prue:** Spending is up. That's my next point; thank you for bringing it to me. Spending is up, but so is inflation. Inflation since 1995 has increased by nearly 15%. The spending has not kept up with the inflation.

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** Stand closer to the microphone. We can't hear you.

**Mr Prue:** You heard me.

The reality is that there has been about a \$2-billion reduction in education in the last six years in this province. What needs to be done is to bring that money back, to put back some real force into the education system, to make it a truly great education system. It is not enough to simply say we are going to test teachers. It is not enough to say that those teachers are the problem, or even that there's anything that's going to be gained. I have yet to hear the benefits of testing those teachers. I have yet to hear that centralized ministerial testing has any benefit over the peer testing, the principal testing or the testing of the teachers' own boards.

The reality is that the whole system is starting to implode, and we need to do something far stronger than simply test the teachers. You have to go back to a system to give them confidence, to give the principals authority to make the decisions rather than to clean the toilets. You have to go back to a system where the schools are safe, where there are lights on the outside at night so that no one is hurt, where the infrastructure is allowed to be repaired. We need to go back to a system where the

schools are open to everyone, where the community is involved and comes in at night. We need a system where there are adequate textbooks. We need a system where there is some money.

I think I'm going to have a hard time voting for this bill, but I could even vote for it if I saw some hope on the other side of the equation, the hope that you're going to do something where it really counts and not just attack the profession, who have spent their whole lives, all of them, every teacher, committed to making this a better province.

**The Acting Speaker:** Members now have up to two minutes for questions and comments.

**Hon Mr Stockwell:** A couple of points that you made are just complete, absolute myths, to use your words. To pick up on the last point, enrolment is up 4% this year? It's 0.9. As far as the inflation rate at 15%, I don't know where you got that number, but obviously there's no way it's been 15% since 1995; not even close to 2.6% per year.

Talk about the teachers, yes. Do you know something? I would like to have the teachers committed, involved. We all want that approach; we all need that approach. We want good teachers, and we have good teachers. We have good teachers to teach our children, and I'm not opposed to that. But you've got to understand that sometimes teachers' initiatives are different from the government's initiatives. The teachers didn't like the formalized report card. They didn't like the standard curriculum.

**Mr Dwight Duncan (Windsor-St Clair):** They didn't like the social contract.

**Hon Mr Stockwell:** They didn't like the social contract, and they didn't like some other issues that we brought forward. But my constituents I talk to tell me that they like the formalized report card, they like the standard curriculum, they like these things that we brought in that made for a better school system.

Did that upset some teachers? Yes, that upset some teachers. I understand it upset some teachers. But the opposition is making the argument that you shouldn't bring in legislation that offends some teachers. If that's your approach to education, why don't you just let the teachers run the education system? That's how it used to be, because every government was frightened to take the teachers on. What you ended up with was a system that teachers liked but the parents didn't. So we came to office and said that we have to change some things. They weren't that dramatic, they weren't that draconian as far as education was concerned: report cards, curriculum, standard testing and so on. But you're telling me that we've done this and the teachers aren't happy about it, so we should placate the teachers at the expense of the parents. I don't get that.

**Mr Duncan:** I'm pleased to have the opportunity to respond to the member for Beaches-East York and to have the opportunity to welcome him to this House and to congratulate him on his victory in the by-election.

First of all, the teachers didn't used to run the system. That's just Tory mythology. You're just spouting off

without any factual basis at all. Our teachers are among the best trained, have been among the best trained and most successful and competent not only in this province but throughout North America. I can say that unequivocally.

1550

The problem is that to make the education system work, you have to have buy-in from all of the participants: from parents, from teachers, from school boards, from the provincial government. The kind of conflict that the Minister of Labour and the Minister of Education have foisted on the system has resulted, and I say this with due respect to my colleagues, in an unprecedented loss of classroom time, an unprecedented deterioration in the quality of education, and an unprecedented decline in the quality of the physical assets: textbooks, heating, everything. The whole funding formula is out of whack.

This bill sets up another false war against teachers, and it's unfortunate that the government chooses to do that. But the people I talk to in my riding and around the province have seen through this thin veneer. They know what this is all about. They've got the argument. The mythology that the Minister of Labour and others have tried to create around the teaching profession and the way they've bashed a lot of very good people—and I'm sure, Mr Speaker, you remember that the teachers, as expressed through their federations, weren't particularly friendly to your government and they weren't particularly friendly to our government. There were always difficult relations. Neither one of those governments simply caved in. The difference here is, this government doesn't want to listen to anybody except itself, and you're messing up. Our test scores are down. You've been on the job six years and you've dropped the ball.

**Mr Gilles Bisson (Timmins-James Bay):** To the member for Beaches-East York, I want to say I enjoyed his comments, but I thought the most telling thing I've heard here this afternoon has been the comments by the current Minister of Labour, who says the problem has been that, up to now, no government has had the courage to take the teachers on. I think that speaks volumes. I think that says what this is all about.

The government, at every opportunity it's had since being elected in 1995, has worn as a badge of honour their supposed courage to take teachers on. I have to ask myself, why is it that they want to take teachers on? Why is it that it seems to be the only profession they want to take on and make accountable? I say it's pure politics. They're trying to get into the politics that somehow teachers are seen as a privileged group of people in our society and that somehow or other—and it would be nice if somebody would turn off that cellphone. There we go. We're not going to say which minister of the crown that was. If the phone was ringing, it's not for me, let me tell you.

*Interjections.*

**Mr Bisson:** Sometimes you can banter and have fun here. But the point is that I think the comments that the Minister of Labour has made are really telling. He's try-



ing to say that his government is the only one that has had the courage to take things on, and that's what this is all about. The government has wanted to pick a fight. I say on the issue of recertification, why is it, and I ask this as a simple question, that the only profession we're talking about recertification for is teachers? If we as a Legislature think recertification is a good idea, and that's open for debate, then we should look at other trades, such as electricians, such as plumbers, such as lawyers.

**Hon Mr Stockwell:** They are.

**Mr Bisson:** No, they're not recertified. No, they're not. To say otherwise, I think, is a disservice to the teachers. So I say this is strictly about picking on teachers and getting into the politics of the issue.

**Mr Bart Maves (Niagara Falls):** One of the members opposite, in his rebuttal, said that this government doesn't listen to anybody. We do listen to somebody, and that is the electorate. This bill is all about enacting a campaign commitment.

I know that for the NDP and the Liberals, keeping your campaign commitments is a foreign concept. But for us on this side of the aisle, between 1995 and 1999 you could pick up our campaign document, the Common Sense Revolution, and page for page check off every campaign commitment that was kept in there. We're doing the same thing now from our Blueprint and our campaign commitments in 1999. In fact, when the Premier the other day announced that he was going to step down in a few months from being the Premier of this province and you listened to all the radio call-in shows about people's opinions about him, everyone said, "Love him or not, the one thing you have to say about the guy is that he kept his word; he did what he said he was going to do." This is yet again this government keeping a campaign commitment.

*Interjections.*

**The Acting Speaker:** Order. I'm sorry to interrupt. It's your own minister who is out of order here, and the member for Toronto Centre-Rosedale. Both of you, please.

**Mr Maves:** The member opposite wasn't here and may not know the history. There have been 24 studies since the Second World War that all said, "You've got to get education off the property tax." Do you know why? Because it makes for totally imbalanced funding across the province of Ontario, a total imbalance between separate and public schools, a total imbalance between rural and urban schools.

The member opposite laments losing pools. How many boards in Ontario can afford to build 87 pools? If you're short on textbooks, maybe it's because you've built pools. The rest of the people around the province wouldn't even dream about that. We know that prior to 1995, there were all kinds of board buildings being built. Those monies should have been spent on textbooks.

**The Acting Speaker:** The member for Beaches-East York has up to two minutes to respond.

**Mr Prue:** I'm going to stay a little closer to the microphone for Mrs Elliott. I hope you can hear me better.

I heard some of the comments—"If the teachers ran the system." With the greatest respect, the school boards ran the system. The school boards, which were democratically elected, ran the system. The school boards, which had the power to tax, ran the system. The school board members, who went from door to door at election time asking the community what they wanted, ran the system. Those poor people, and we have one here in the audience with us today, earn a pittance and are still trying to run a system that is badly in need of overhaul—overhaul from what you have done, not from what they did before, with the greatest respect.

The member heckled me a little about the inflation rates, but I invite him to go back and look at what happened in 1995, 1996, 1997 and 1998, the seven years up to today. Add those numbers up and you will see that it approximates 15%, not the 2% or 3% you're talking about.

The other heckle that I thought was kind of fun was about the number of new students in the schools being 0.4% this year. That's true. That's this year. But if you had listened carefully to my comments, I was talking about everything that has happened since 1995, and it's not a 0.4% increase of students in the schools, with the greatest respect.

The member opposite talked about—I still have 18 seconds—the foreign concept of looking after your campaign commitments. I want to tell you that that has always been my priority, and it has always been my policy. Watch: whatever I say I'm going to do, I will do it or have a damn good explanation why I didn't.

**Mr Bisson:** And Mike Harris resigned, just as you said he would.

**Mr Prue:** Exactly.

**The Acting Speaker:** The floor is now open for further debate.

*Interjections.*

**The Acting Speaker:** Order.

**Hon R. Gary Stewart (Minister without Portfolio):** It's my pleasure to be able to speak to Bill 110, the Quality in the Classroom Act. Before I start the more formal part of my speech, I have to make a couple of comments in rebuttal, for lack of a better word, to what I've heard over the last few minutes.

I can't understand how the member from Timmins-James Bay would suggest we're out to pick a fight. I do not understand how you can pick a fight on something you want to make sure is top-quality. I can't understand that.

I also can't understand—well, I can understand it. The Liberal policy has always been to throw money at something without any possibility of, or indeed little thought about, results. This is not the philosophy of our government, nor will it be. We want good-quality policies, we want to make sure that quality is in the schools, and it will be. We want to make sure it is there.

I'm very pleased to debate this bill. I can't, for the life of me, understand how the opposition parties can make comments against this bill, against quality in our class-

rooms. Is it that they don't want these students to graduate, to be able to compete in the global marketplace? Is it their idea that there should be no quality in the schools, or additional ones, that tests shouldn't be there?

**1600**

It was interesting this morning. I had a meeting with some of the OPSBA members, and they said to me, "If you could develop some policies that are consistent across the province, it would be great." I said, "Do you think they would support it?" "Oh, yes, they probably would." I said, "I thought we did. I thought the curriculum was one." Did they support that? No, everybody has been fighting that. I thought the report card was another one. Did they support that? No. They have fought against every policy to make some type of consistency across the education system in this province. So I have a little difficulty when I hear some of the comments.

I personally have been in business something like 40 years, and I can tell you this: I wanted to make sure that the services we provided, the product we produced, was of the best quality possible. My staff, many of whom were there 25 or 30 years, also wanted to make sure that they had the best qualifications possible to make sure they could deal with the public in the particular business we were in.

The purpose of our education reform, I believe and our government believes, is to set higher standards for student achievement in Ontario and to provide the tools and resources for student success. Isn't that what it's all about, student success? We want to make sure those students, when they graduate, will be able to compete with all other students from around the world for those jobs, the jobs we certainly have had the opportunity of creating, some 800,000 of them over the last six years.

Excellence in education starts in the classroom, with the best possible teachers. It is essential that they instill a love of lifelong learning in our students, as well as providing them with the tools to meet the challenges of changing jobs and new careers. It is said that many of the students who graduate in the future will have five or six careers. Should they not be fully qualified to make some of the changes they may have to in the future over a different career?

Ontario has many excellent teachers, and many of them recognize the need to keep their knowledge and skills current. I know the opposition doesn't realize that change is necessary, and I guess to a degree they don't believe that the future is changing; it is, and we've got to be prepared to change with it and make sure that we are all equipped to meet the challenges and have the necessary information required to make sure that we can all be part of making sure this great province continues on the right track.

They are actively involved in professional development activities to build their qualifications and develop new knowledge and skills. That really is why our government has introduced our comprehensive teacher testing program, to ensure that all teachers, both new and

experienced, have the capabilities to help our students succeed and achieve higher standards.

You can be the greatest academic in the world, but some do not necessarily have the ability to effectively pass on that knowledge to others. We have to make sure that all of our teachers have that ability to pass on information to the students.

We continue to build on this commitment with Bill 110. It has two purposes. First, subject to the approval of Bill 110, is that all new graduates of Ontario faculties of education and all teachers new to Ontario would be required to take an Ontario teacher qualifying test. I want to emphasize the word "qualifying." Passage of the test would be a requirement for becoming a member of the Ontario College of Teachers and receiving a certificate of qualification from the college.

I can't for the life of me understand why anybody would be against that. There have to be standards, there have to be set qualifications, and that's why this type of test is necessary.

The qualifying test would assess the readiness of teachers to start their professional life and would ensure they have the minimum level of knowledge and skills to begin teaching in our schools. That minimum, in my mind, has to be certainly in the upper portion of minimum.

Its purpose and form would be similar to exams administered by other professional regulatory bodies, such as the National Dental Hygiene Certification Board and such other groups as nurses and occupational therapists.

I carry an Ontario funeral director's licence, and have since 1960, when I graduated. I have to renew it every year. If I want to practise, I have to go and do a refresher course and pass necessary tests every five years. It's interesting, because what I've said is that times are changing. We've got to make sure we have the up-to-date knowledge necessary.

The ministry is taking a number of steps to ensure that the Ontario teacher qualification test will be unique to Ontario, as well as being fair, valid and reliable. Development of the test is being supported by consultations with a broad range of education stakeholders. We consulted with parents. We consulted with students. We consulted with principals and vice-principals, with teachers, trustees, deans of faculties of education and the Ontario College of Teachers.

Is the opposition, which is totally against this, suggesting that these people do not have the ability to set the standards and qualifications for the teachers in this province to teach our students? Who else do you consult with except the people who are involved in the business of teaching? I can't quite understand. If you want a plumber, do you go and speak to an electrician? I would think you go to a plumber.

The ministry has established the Ontario Teacher Qualifying Test Advisory Committee to advise on test program issues. It will provide the ministry with advice on test development and validation, as well as on the written materials to assess those teachers taking the test.



For example, there would be a brochure describing the test program that would also include an application package with registration information, sample test questions and preparation test items.

It is important to note that Ontario is not the only jurisdiction to be moving in the direction of spelling out entrance-to-the-profession tests. In fact, the ministry is drawing from the best experience of what other professions and jurisdictions are doing in this area.

For example, the United Kingdom recently introduced a test for new applicants to the teaching profession. In addition, France, Belgium and Switzerland use civil service exams to evaluate those who wish to teach. Most American states require their teacher candidates to pass one or more certification exams to become licensed to teach.

Are they all wrong? I don't think so.

The proposed qualifying test in Bill 110 would have questions based on areas of knowledge and skills derived from the standards of practice for the teaching profession established by the Ontario College of Teachers. The college is mandated by statute to establish standards of practice for all teachers in Ontario.

Once aspiring teachers have completed the qualifying test, the results would be available in four to six weeks. All test-takers would be advised of their personal scores.

It's interesting, when you think about it. Many of the teachers want to make sure that the students pass tests, and yet some of them are very hesitant to do tests themselves.

1610

The test provider would advise the Ontario College of Teachers of pass or fail results for all participants. Candidate teachers who meet all the requirements for certification, including passing the qualifying test, would be placed on the college register, which lists its members, their qualifications and their status with the college.

Finally, for 2002 and 2003, the ministry will cover all costs associated with taking the test. In addition, an appeal process would be available to all teachers who take the qualifying test. The qualifying test proposed by Bill 110 is an additional step being taken by this government to improve the quality of education in Ontario. In a rapidly changing and increasingly competitive world, quality assurance among all professionals, and especially teachers, is imperative.

The second purpose of Bill 110 is to create a comprehensive performance appraisal system to evaluate teachers on their performance in the classroom. The new provincial standards outlined in the legislation would ensure that principals and school boards regularly and consistently evaluate teachers' knowledge and skills.

Bill 80, which the Legislature passed last June, established a comprehensive framework for professional learning by Ontario teachers. Bill 80 requires all teachers to participate in a series of professional development activities and courses in five-year cycles throughout their careers.

Bill 110 would now establish the regulatory authority necessary for the establishment of teachers' learning

plans. These plans would be developed by teachers in consultation with their principals and would map out a course of action for professional growth. Mandatory professional learning ensures that teachers' knowledge and skills are up to date. We've talked about the changing world that we live in. We must make sure, whether it be in the teaching profession or whatever, that the knowledge and skills are indeed up to date.

Performance appraisal provides the necessary quality assurance, that professional learning has been effective, that the teachers in our classrooms are the best they can possibly be. For that, I don't know why anybody would say no.

Equally important is the way that Bill 110 would bring consistency to teacher appraisals in reference to their frequency, timing, standards and methods. While many boards have been developing excellent performance review practices, few school boards have policies and programs in place to help weak teachers meet the standards that they need to achieve. If they have a problem, if there is a weakness in some part of their performance, why then would they not want to make sure that they are qualified and to do the necessary things that will make sure that their qualifications are upgraded so that they do have the ability to pass on their tremendous knowledge to the student?

In addition, few boards currently have evaluation policies that recognize teacher excellence for identifying possible mentors or exemplary teachers.

These findings reconfirm the value of Bill 110 and the need to provide consistent province-wide standards for teacher evaluation. The creation of such standards would clearly be a major factor in ensuring that our teacher appraisal system is fair to all members of the profession no matter where they teach in Ontario.

These are the reasons that the bill would provide for every experienced teacher to have an evaluation year every three years, with at least two evaluations of their classroom performance during that year.

Our government strongly believes in the involvement of all parents in their children's education. That's why we created the parent councils, and indeed they should have input into their children's education.

Another important milestone in Bill 110 is that parent and student input will be an integral part of a teacher's performance appraisal. Who would know better than the student? Bill 110 would also provide the regulatory authority for parent and pupil input. However, parent and pupil comments would not be the sole factor in any unsatisfactory rating of a teacher.

The important aspect of the teacher appraisal system is to provide support and facilitate teacher improvement—bottom line. The point of Bill 110 is not to dismiss teachers but to ensure teacher excellence. Bill 110 provides a very detailed and fair approach to teachers receiving a less than satisfactory rating, with a real emphasis on opportunities to help strengthen a teacher's classroom skills. I believe the performance appraisal system in Bill 110 is consistent and fair to teachers.

I would like to summarize the key features of the performance appraisal system that would be established by this legislation: regular evaluation of all teachers; consistent standards for teacher appraisals, including an objective rating system that will be used throughout the province; parent and student input into the appraisal process; support for teachers who need to improve their performance; and removal of low-performing teachers from the classroom. Certainly some may have to change their vocation because maybe they did not find the right vocation in the first place.

Bill 110 is win-win legislation. With the passage of the Quality in the Classroom Act, 2001, parents will know their children are being taught by teachers who can call upon the best classroom skills and knowledge. Taxpayers will know they are receiving value for their education dollars. All Ontarians will know we're moving closer to an education system that is firmly focused on quality, accountability and improved student achievement.

**The Acting Speaker:** Members now have up to two minutes for responses.

**Mr Duncan:** I'm pleased to have the opportunity to respond to my colleague from Peterborough.

First of all, the way the member would characterize the positions of the opposition parties with respect to issues like standardized testing, curriculum enhancements, teacher testing, teacher evaluation, he would say, "They're opposed to it; we're in favour of it." Well, he's wrong. The previous government brought forward the Royal Commission on Learning, which dealt with every one of those issues, and every party in this Legislature endorsed them. Where we differ is on how you do it. We think there are better ways of doing it.

The member didn't reference the fact that in six years of Tory government in this province, standardized test scores have not improved. If you want to talk about effective policy, you haven't done it, and you haven't done it—

**Hon Mr Stockwell:** You were opposed.

**Mr Duncan:** We were opposed to yours, and we put forward a very different plan that was better than yours. If we had had a chance to put our plan in, those test scores would be better today. You have failed miserably.

The other thing you forget to talk about is how you always put hostages in these bills, like the funding formula, where you fund schools based on the amount of square footage in a school, the same way they fund federal penitentiaries.

Your government's policy on education has failed miserably, and the best indicator, I say to the Minister of Labour, who laughs, is that students' test scores have not improved. They've gone down in six years of your government. In Great Britain over the same period of time, they've gone up. They've gone down on your watch, just as your funding per capita and per student has gone down.

You're a miserable failure of a government, and this bill is another example of failed government education policy.

1620

**Mr Bisson:** Ditto. That's all I can say. Everything that I wanted to say and then some.

The chief government whip says, "I can't understand why members in the opposition or anywhere would be opposed to this kind of legislation." I want to say, listen, if we're talking about the question of recertification of everyone, if you were to come into this House and say, "We think there's an issue in our education system that when we train plumbers, electricians, lawyers, MPPs and whatever, we need to recertify these people every so often in order to make sure their skill sets are matching the day, to make sure the skill sets they have are current to what's needed today," I can get into that debate. There might be an argument that as a skilled electrician, as a licensed electrician and a licensed technician of electronics, you have to recertify me with some sort of provision. But we're not talking about that.

The Minister of Labour got up before and said, "We do recertify." No, we don't. All I have to do to recertify my licence is to sign a piece of paper and send the government a cheque—I think it's \$125 every three years—to recertify myself as an electrician. There is no recertification for all kinds of other trades and professions. The difference here is you are saying you want to pick on the teachers as a group that you're going to recertify.

My argument is that if we want to talk about recertification overall, there may be an argument, and I think most of the public would say, "Yes, that's an issue I'm prepared to listen to." But when the government comes to me as a member and says, "We've got this great idea for recertification," which in itself may not be a bad idea, "but we're only going to do it to teachers," it tells me you're picking on teachers. I'm sick and tired of wasting our time in this Legislature picking a fight with people who, quite frankly, have got better things to do, and that is to go out and educate our children. After all, that's what this should be all about.

**Hon Mrs Elliott:** I'm pleased to add my voice to this debate and comment on the remarks of my colleague from Peterborough.

When we come to this House, we come with experience from our personal lives and from our communities. I come representing the riding of Guelph-Wellington, I come as the parent of four children who have been through the public school system and are now in post-secondary, and I also come as a teacher. So when our government has embarked upon the very worthwhile activity and goal of improving the public education system to be the best system it possibly can be, I have a great deal of interest in how this file unfolds. On the standardized testing, on the curriculum, on all of the pieces, I have looked with interest as a parent and as a teacher.

Today we are talking in particular about testing. I thought to myself, when we were discussing this as a caucus and as a government, how would I feel were I still in the classroom? I think I would have mixed feelings



perhaps. I was one of those teachers who took countless summer courses and was always trying to learn how to be a better teacher. I found I learned a great deal from other teachers and I also learned a lot from visiting other classrooms. But not all teachers are like that, quite frankly. I don't say that to denigrate teachers. I say that because teachers are very busy folks, and sometimes it's necessary for us to institutionalize ways for folks to be better, in particular in this case, teachers.

The only people who actually sit at the end of the day and evaluate the teachers' performances are the children. They have very little ability, and in fact I would put to you in this House that even the parents sometimes have very little ability, to actually ascertain how well a teacher is doing until perhaps, if things aren't going well, it's too late. I think it is the responsibility of the government to set a stage for the very best teachers to operate in this province, to teach our very precious children, and I think the teacher testing is the way to do it.

**Mr Michael Bryant (St Paul's):** I always enjoy hearing the arguments from the government with respect to why it is OK to test teachers while at the same time we are not testing the other professions. I've heard often from the other side the lawyer saying, "Well, I'm tested every day," as if the teachers are not tested in the classroom every day.

It is punitive to test teachers. It's punitive. This is about a failed political war against a profession, to denigrate a profession, because it was going to somehow buy this government votes. We know today from one of many published reports that in fact the public isn't buying this.

We have heard from members of this House already with respect to the information released by the Toronto District School Board to the effect that nobody is buying the argument that teachers need to be tested, that this government is engaging in a constructive exercise by trying to get them tested, and that the repeated announcements and reannouncements, recycled and reused to the extent that it's probably the best environmental effort this government has ever engaged in, that is, their re-announcement policy—it's not being bought by the people of Ontario.

It truly has been one of the saddest legacies of the Mike Harris government, what this government has done to public education, but worst of all, what this government has done to a generation of Ontarians and Canadians who no longer enjoy the profession of teaching. Many Ontarians who might have otherwise entered that profession are now not entering that profession, and hence among other things we have a labour shortage. I say to the government, shame on you, shame on you, shame on you.

**Hon Mr Stewart:** I want to say something to the member from St Paul's. I don't know whether you have children, but if you do and one of your children has difficulty because one of their teachers is not qualified to pass on the information to them, what are you going to do? I'll tell you what you'll do. You'll be the first one to

the board trying to get them either requalified or thrown out, fired. You know it and I know it.

The other person who bothers me very much is we have the member from Windsor-St Clair saying, "Let's throw a bunch more money at them. We need more money. Don't give a darn about the qualifications." More money won't qualify anybody. You know it and I know it. Qualifications are done through testing, through more experience, through more knowledge, through more skills. That's where it is.

I had a lady the other day make a comment to me that they were very concerned about her daughter. The daughter was concerned about passing. Why? Because a couple of her teachers weren't totally qualified in the English language. Why wouldn't we want to improve them, to help them, to make sure they could be better qualified? We're dealing with the future of this province, with our students who will graduate. I want them, in my business or in my community, to be qualified with the skills that are truly necessary to make sure this province continues in the way it should.

I just cannot understand the people across the way who don't want any quality. I know your policies aren't quality, but ours are and we want to continue in the right direction.

**The Acting Speaker:** The floor is now open for further debate.

**Ms Caroline Di Cocco (Sarnia-Lambton):** I am really pleased to enter into this debate because with the word "quality," one of the issues is that you have to understand what quality means before you can actually enact or put into place aspects that are going to provide quality in a system.

I believe the track record speaks for itself. In six years of the Conservatives in this province, they have not, in my view, created better quality education, but certainly they've created more crises. They've certainly added a lot of dollars to partisan advertising. They talk a lot about quality, but I have to say that when you talk about quality education—they love to use the words—quality education doesn't come about simply by the government using the words in its legislation, or by using the words in those expensive \$6-million ads and those brochures.

You don't achieve quality education by those means. In my view, quality education is about good management. This is not what the Conservative government has shown. They're not good managers. But they certainly like to suggest that nobody could take on the teachers, so we have this bully mentality that I hear reiterated in this House too many times. We're not here to take on the teachers; we're here to work with the teachers.

1630

It appears to me consistently that this government wants to run the education system from Queen's Park. They want control, but they want to divert the blame. They divert the blame for the mishandling of education policy to the teachers, or they say it's the school boards. They even dare to say all the time that it's the federal government. But they don't take responsibility for their role in education.

I believe the ultimate difference between the Conservatives and Liberal Party is that we understand what quality means. It isn't just about tax cuts, and it isn't just about budget cuts. Neither is it about just adding money to something. Quality education is about teaching the whole person. That's a concept that I know is difficult to understand. It's about teaching the whole person. It's about balance. It's about teaching—I said this the other day—math and science and technology, but also art and music and history and sports. It's the whole person. That's how you shape society. All of this, in my view, creates quality education. But more importantly, it achieves the high standards. Instead, this government has done exactly the opposite.

Another aspect, in my view, about quality education and good management is that you work with all the different sectors. It isn't top-down management. We don't have this dictatorial, "We've got to take these people on because, after all, they have different views than we do." That is not how we should be dealing with education, and that's all I've seen over the last six years. The constant fighting isn't about quality education, but in reality that's what we've done over the last six years.

The turmoil in our education system doesn't speak to quality education. The results, or the lack of results, in our education system speak to the lack of substance behind all the rhetoric on quality. What we find in our schools today is not quality education; it is no flexibility to provide for after-school busing in rural areas.

We talk about quality education. We want students to participate in other activities that make it enjoyable for them to be at school. One of the aspects, of course, is music programs or sports programs after school. In rural areas in my riding, one of the problems is that most of the students are on a bus for one hour, an hour and a half, sometimes even two hours. They need to have an after-hours bus to take them home. We don't have funding for busing, so the students don't have the opportunity, even if the programs are offered, to stay after school because there's no bus. As you know, many times parents today work, or they don't have the possibility to pick the students up. So what do we do? We limit the opportunities that will provide quality education.

What we find in our schools is that there is no room for small schools. That's what we find in this neo-conservative world. We have megacities and megahospitals, and now we have to have megaschools. I have a list of small schools in my area that are 75% or 80% full, but because they only have a capacity of 180 or 200, they have to shut down. We have to now move the students into the bigger schools. We have to try to achieve a 95% capacity, because we now measure education per square foot, as the member for Windsor-St Clair said, the same way we do our penitentiaries. That's not about quality education. I believe the members across must understand that concept, but for some reason they consistently spew out their mantra that is dictated on how they must speak to these matters, and, as you know, the language is always the same.

In my area, every single new school year we're talking about shutting down a school. That's all we seem to see. Parents are fighting to keep them open. There was a meeting last night about shutting down St Joseph's school. It's a small school in the southwest of our area. Again, there is a real diversity of students there. Most of them, by the way, walk to school, but now they're all going to be bused to a larger school. These parents have tried to fight to keep the school open, just like they tried to fight to save Our Lady of Mercy and they tried to do the same for a school out in Watford. Yet what happens? Because there's absolutely no flexibility, we have the one-size-fits-all syndrome when it comes to this funding formula. It's all about savings.

The other day I mentioned that cabinet costs have risen by 116%. Now I understand why. They have to manage all the schools in the system from Queen's Park. You wouldn't want to try to accommodate the realities in the rural areas, because, for goodness' sake, that would mean we'd have to be a little bit more flexible in how we deal with our funding formulas.

We have fewer librarians. You want to talk about quality education? I would just like somebody to explain to me how 95% of schools reported don't have full-time principals and 44% don't have full-time vice-principals. But I guess we don't need that aspect in the schools, according to this government. We don't need the qualified principals or vice-principals.

We have again the larger class sizes. You want to talk about quality education? It's smaller classrooms. Why do people believe that private schools tend to have a higher quality of education? Because there's a smaller ratio of students to teacher. When I've gone to Sarnia-Lambton and gone into some of the schools, I've sat in on grade 12 English with 34 students in the class. It seems that most of the classes that I sat in on had more than what they call their average—because that's a misnomer, as we know. Quality education is about keeping that ratio down, not the average but student-to-teacher ratio. Of course, the average, as you know, is skewed when you have rural and urban together and you try to average out in these huge mega-school boards now and you're averaging out student-to-teacher ratios.

#### 1640

I don't know if it's the same with some of the other members in my caucus, but when I hear the word "quality," I just don't equate it to the Conservative government somehow. The words "quality" and "Conservatives" just don't go hand in hand. I say that because of the tremendous amount of instability that I've watched in the education system. We talk about shaping our society, and education does that. Education shapes our society. It's about our economic development. It's about our competitiveness in the global market. It's our brain trust. And yet everything I have seen over and over again in the name of—I will use the quotes—"quality education" does the exact opposite. This is why they have to spend megabucks on partisan ads: they have to convince people of what is not the fact. That's why you advertise. There



doesn't have to be truth in the advertising; you just have to portray an image. It's like getting the cars in the ads. You have the car and you have the really good-looking woman next to it. The idea is, if you buy that car, guess what else you get?

That's what advertising is. It's not about giving facts. I believe that this government has certainly learned how to advertise when it comes to getting their message out, because when you analyze exactly what's done, you see that that isn't the case.

This bill undermines, in my view, the whole concept of what the role of government should be in managing the affairs of this province. I say that because I don't believe that a government is to be there—I'll use the same terminology that the Minister of Labour used, which is, "Nobody wants to take on the teachers." It's as if they're people whom they have to fight with. These are professionals. Teachers were a profession before the Conservatives were in power and they're going to be a profession after the Conservatives are in power. Unfortunately, it has been a painful six and a half years for them, because they have not been treated as a profession; they have been treated as a group of people who have to be controlled.

Again I have to say that when you take a look at quality education, if you really take a look at it—and I believe that you have to have performance evaluations. Performance evaluations should be part and parcel of every sector, because that is the only way that we're going to be able to measure results. The government uses what they call "testing," and the word "testing," in and of itself, implies that teachers aren't professionals. You test students, and you should. Every other profession gets professional performance evaluation. That's how you deal with it. But we use the word "testing." It somehow, to me, suggests that the teachers are students. They have to be tested. That's not what it's about. It's about performance evaluation in their job.

We believe that, but not the way this government is doing it, because this government imposes it as if it becomes a power struggle: "We have to attain this sense of authority." I've heard it over and over: "Nobody wanted to take on the teachers." The Minister of Labour said it again today. "Nobody wants to take on the teachers." How about, let's improve the system and let's have performance evaluations and treat the professionals who work with our students with dignity? How about treating them with respect? And yes, have measures in place. If, in the context of their job, they are not doing it, there should be a way to address that.

There are ways to address it. We talk about quality education and yet we don't have in place now enough resource teachers to deal with those students who can easily fall through the cracks. We can only deal with the extreme end of that spectrum. We can't raise the level of students who need one-on-one, because we now have this inflexible way that we're going to conduct education, and it's by square footage.

One of the things that has been brought to my attention in my riding is the fact that if a student leaves a

school—they're funded I believe at about \$6,000 per student—that school loses \$6,000 in funding. But it doesn't mean that there's \$6,000 less in expenses just because one student leaves. So again there's a skewed sense, in my view. The government doesn't understand how to manage so that the employees—because I believe the government is the manager and the system as an entity of the province should be well-managed, but well-managed means getting the co-operation of the employees who work for you.

You talk to the auto sector, you talk to other industries, and they talk about management, saying that one of the best ways to get not only co-operation but to get productivity and to get—how do I put it?—employee satisfaction is through co-operation. It isn't through fighting, it isn't through, "Well, we have to take them on. We're not afraid to take them on," because you discount the profession, you discount the impact that educators have in the classroom.

The other irony here is that this government has taken public dollars and put them now into private schools, but these systems that are going to enhance quality education in our public system, this skewed sense of what they call teacher testing, why don't they impose them on these other schools that are going to get public funds? Shouldn't the standards apply there? You consistently have this double standard. If you're going to provide public dollars to private education, then private educators should have the same rules imposed on them as they have in public education. I don't understand the rationale, why you would exempt them from that. From grade 1 to grade 8 in private schools, you don't have to be certified to teach; there's no rule that says you do. You don't have to use the curriculum. You don't have to do the testing. But in the public system, this government suggests that they have to consistently micromanage, but that's only used in the public system.

I just want to reiterate something. Quality education is about encouraging and supporting highly motivated professionals. We don't have those motivated professionals, because this government did the opposite. That's what quality education is about. It's about stability and it's about innovation. Quality education—I'll say it one more time—is about teaching the whole person, it's about balance. It's about teaching and educating in all of the different disciplines, not just math and science, but technology, art, music, history, sports—something that this government, in my view, does not understand.

**The Acting Speaker:** Members now have up to two minutes for questions or comments.

**Mr Bisson:** I want to congratulate the member on what I thought was a very well-put-together speech on this particular issue. As I understood it, she makes the argument that I think is quite a good argument, which is, if the government is truly serious about some sort of performance standards when it comes to the ability of teachers to teach, why is it they don't have performance appraisals—because that's what these are, basically—for teachers in the private system? If we're so concerned

about the quality of education of our children, and we want to make sure that the teachers meet a certain standard, and we're using public dollars to pay the teachers and to fund the system, why would we not do the same in what is now a publicly funded private system with Mr Flaherty's tax break that he has given to the—what is that?

**Mr Prue:** It's the wind.

**Mr Bisson:** Wow. There was something buzzing in the back of the building here.

**Mr Prue:** It's the wind.

**Mr Bisson:** Is that what it was? How weird. Anyway, I've got to say this chamber is starting to become a little bit haunted. Some of the noises that came out of the back were kind of weird.

1650

I just say that she makes the point, and I think it's a really good point, that if the government is really serious about doing what is right when it comes to making sure we have good quality assurances when it comes to teachers, we should do that for both private sector teachers and public sector teachers, because at the end of the day, they're both about the same thing: teaching students. If the government has a double standard, then you have to ask yourself, "What's really going on?"

What I've been saying, and what my colleague Mr Prue and others have said, is that this is really about a government that's hell-bent on picking a fight with teachers for the political capital they think they can garner from the public when it comes to fighting with teachers. I say that's wrong, because what we should be about is supporting initiatives to help our kids to get better education, not fighting with teachers for political gain.

**Mr Gill:** It is a pleasure to get into the debate this afternoon. The member for Sarnia-Lambton spoke at length about the different issues, and also the member for Timmins-James Bay.

I was quite surprised at the member for Sarnia-Lambton's saying that because of certain policies of the Harris government, we don't have good professionals. That is quite contrary. We have very good professionals. I just finished having a meeting with some of the teaching professionals, and we have a tremendous amount of talent. Also, the member mentioned something about "quality and Conservative don't go hand in hand." I think that's a lot of baloney.

The member talked about teaching the whole person. What gobbledeygook, what a loosey-goosey comment, "whole person." You have to have certain standards. You have to have standardized testing. You have to make sure everybody has the same curriculum and you give them grade 3, grade 6, grade 10, so that you understand exactly where people stand.

You have to have basic skills in math, science and languages. For whatever reason, and I know we need to address it more throughout the country, I don't think people have enough or study enough languages. Certainly we have English and we have French, but if you look throughout the world, I think people have to have, for

better understanding of diversity, more language skills. I do encourage that. I'm very fortunate. I speak about five different languages, and I think it's a good thing to have, and I certainly encourage the teachers and the students, even on their own time. Somebody is going to get up and say, "You know, therefore you should have more money to be spent." That is not the answer. The answer is that we have to understand that we have to do some work. Even at home, we should be encouraging that sort of behaviour.

**Mr Bryant:** I want to join other members in congratulating the member for Sarnia-Lambton for another thoughtful, well-researched, well-organized and well-put submission, not a submission that I think can be easily dismissed by this government.

I was interested to hear the member for Bramalea-Gore-Malton-Springdale rise in his place. He doesn't dispute the arguments made, but rather speaks to language skills and the need for more language skills. I agree with the member, but I don't think testing teachers is going to increase the linguistic capacity or any other quality measure of education or students in Ontario.

In order to have quality, you have to, at the very least, engage in the kind of management that the member for Sarnia-Lambton was arguing for, not the kind of management this government has demonstrated over the past six-plus years. At the very least, you would think that in order to achieve quality, you wouldn't want to cut public education to the bone.

Let me just speak to the situation in the city of Toronto. I am honoured to be an MPP in the mid-town Toronto riding of St Paul's. This is from a September 2001 report from the Toronto District School Board. They write: "Between 1997 and our projected 2003-04 school year, funding for our schools"—that is, Toronto schools—"will have been reduced by \$400 million dollars, of which \$126 million of reductions still have to be found. This will represent a cumulative reduction in public education spending in the city of Toronto during this period of \$1.4 billion."

**Mr Smitherman:** How much?

**Mr Bryant:** One point four billion dollars.

This government wants quality in education. I suggest to them that they might start by not cutting \$1.4 billion, not wasting their time by testing teachers, but rather by making the appropriate investments and the management that the member for Sarnia-Lambton is advocating.

**The Acting Speaker:** Further questions and comments?

**Mr Smitherman:** It was an excellent—

**Mr Bisson:** On a point of order, Mr Speaker: We're on questions or comments. There's a rotation. The member from Beaches-East York was on his feet.

**The Acting Speaker:** If he was, I just didn't see him. If the House is clear that he was on his feet—obviously I wouldn't do that to my own member—it was an oversight. My apologies to the member for Toronto Centre-Rosedale. I give the floor to the member for Beaches-East York.



**Mr Bisson:** We didn't think it was intentional.

**Mr Prue:** I too rise to commend the member for her very thoughtful speech, especially around the whole issue of language skills. I know other members have spoken to that. It's something we as Canadians should be justifiably proud of, since we have people from all over the world who have come to live in Canada, and particularly in Ontario, that there are so many languages spoken. It's one of those things we should pride ourselves on and continue doing. That goes right back to English-as-a-second-language classes and heritage language classes, which unfortunately do not seem to have the same currency or favour in the last number of years, due to cutbacks, as they once did.

I also would like to remark on her comments about performance appraisals. I think that comes right down to the heart of the matter. This isn't just teacher testing; this is a performance appraisal. I think anyone who has ever been a bureaucrat, anyone who has ever worked for a level of government—be it municipal, provincial or federal—or anyone who has ever worked for a large corporation, is used to the term “performance appraisal” and can understand and appreciate what that is. It's a yearly rotation where you go to your supervisor or the manager of the office, someone who directly looks after you and knows the work you do, and you sit down. It can be a pretty nervous experience for some, on occasion, particularly when their performance isn't up to snuff.

It is a direct supervisor who is charged with you who makes the comments, who makes the appraisal, who tells you your strengths and weaknesses and tells you what you need to do to improve. It is not someone from far away. It's not someone from Queen's Park or the minister's office; it's someone who knows exactly what you do and the circumstances in which you do it. That's the kind of appraisal we should be asking for our teachers: someone who is right there and knows the intricacies of that particular school, that community, that neighbourhood.

**The Acting Speaker:** My apologies again to the member for Beaches-East York. I now turn to the original speaker and offer up to two minutes to the member for Sarnia-Lambton to respond.

**Ms Di Cocco:** Thank you, Speaker. In my comments, I may have misspoken if I suggested that school systems don't have professionals. What I meant is that, in my view, the policies of the Conservative government have undermined the professionals in our system. That was what I intended to say.

One of the issues that truly is important is that we work to improve education in this province—we improve education; we improve the quality. We have to create stability. It's done through good management: through management of people, through good management of resources and through good and thoughtful management of change. Under the Conservative government we have had fast-paced changes, changes without resources, changes without proper funding and, more importantly, without enough transition time. And all that has created is a lot of chaos.

When I say “resources,” I mean essential things such as the books for the new curriculum that's been imposed by this government. That is not managing change; that is only reacting to change. There's a difference. Government has to be able to manage thoughtfully if it's going to create a system that's going to work, and this government has created a system that is constantly in chaos, constantly reacting.

As a last example, there was the area of the extra-curricular fiasco. We didn't have a problem in this province, but it was created by this government. They created the problem and then they had to find a solution.

1700

**The Acting Speaker:** The floor is now open for further debate.

**Mr Smitherman:** On a point of order, Mr Speaker: Is a quorum present?

**The Acting Speaker:** Is there a quorum?

**Clerk at the Table (Mr Todd Decker):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Acting Speaker:** With a quorum now present, we will continue the debate.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join the debate on second reading of Bill 110, Quality in the Classroom Act, 2001. The purpose of our education reform is to set higher standards for student achievement in Ontario and to provide the tools and resources for student success. Excellence in education starts in the classroom with the best possible teachers.

**Mr Bisson:** On a point of order, Mr Speaker: Just to assist, I would ask the member to back off the mike with his papers because it is distorting the sound. I couldn't hear what you were saying.

**Mr Tascona:** That is why our government has introduced our comprehensive teacher testing program, to ensure that all teachers, both new and experienced, have the capabilities to help our students succeed and achieve higher standards.

We continue to build on this commitment with Bill 110. It has two purposes: first, subject to approval of Bill 110, all new graduates of Ontario faculties of education and all teachers new to Ontario would be required to take the Ontario teacher qualifying test. The passage of the test would be a requirement for becoming a member of the Ontario College of Teachers and receiving a certificate of qualification from that college.

The qualifying test would assess the readiness of teachers to start their professional life and ensure they have the minimum level of knowledge and skills to begin teaching in our schools. That's not unlike what the legal profession goes through. Its purpose and form would be similar to exams administered by other professional regulatory bodies. Development of the test is being supported by consultations with a broad range of education stakeholders, including parents, students, principals, vice-

principles, teachers, trustees, deans of faculties of education and the Ontario College of Teachers.

It is important to note that Ontario is not the only jurisdiction to be moving in the direction of spelling out entrance-to-profession tests. The United Kingdom recently introduced a test for new applicants to the teaching profession. In addition, France, Belgium and Switzerland use civil service exams to evaluate those who wish to teach.

The proposed test in Bill 110 would have questions based on areas of knowledge and skills derived from the standards of practice for the teaching profession established by the Ontario College of Teachers. As you know, Mr Speaker, the opposition parties have voted against many new measures with respect to education reform: new curriculum, standardized report cards and even the College of Teachers with respect to upgrading and enhancing the training of teachers in our profession.

Parents told us that improvement was needed. That's the bottom line. In 1995, when I was running for the first time, parents wanted improvement in the education system. In my riding, we've been very fortunate. Because of the growth, we've had many new schools built under our new standards and also tremendous upgrading of the playgrounds at the existing schools. So the money has been spent, the money is in the system and it certainly is benefiting my riding of Barrie-Simcoe-Bradford, based on the equalized formula for students.

Candidate teachers who meet all the requirements for certification, including passing the qualifying test, would be placed on the college's register, which lists its members, their qualifications and their status with the college. In a rapidly changing and increasingly competitive world, the need for quality assurance among all professionals, and especially teachers, is imperative.

The second purpose of Bill 110 is to create a comprehensive performance appraisal system to evaluate teachers on their performance in the classroom. That seems like a fair process in terms of ensuring that they understand and are teaching the curriculum for which they've been hired. The new provincial standards outlined in the legislation would ensure that principals and school boards regularly and consistently evaluate teachers' knowledge and skills. Mandatory professional learning ensures that teachers' knowledge and skills are up to date. Performance appraisal provides the necessary quality assurance that professional learning has been effective. That's not unlike when you're dealing with other professions, like the dental profession and other medical professions, in terms of making sure their members are up to date in their skills and knowledge, especially when you're dealing with a sensitive area where you're providing a public service. What could be more important than making sure the students you teach are getting quality instruction?

Equally important is the way that Bill 110 would bring consistency to the frequency, timing, standards and methods of teacher appraisals across Ontario. While many boards have been developing excellent perform-

ance review practices, few school boards have policies and programs in place to help weak teachers meet the standards they need to achieve. The creation of province-wide standards would clearly be a major factor in ensuring that our teacher appraisal system is fair to all members of the profession.

These are the reasons that the bill would provide for every experienced teacher to have an evaluation year every three years, with at least two evaluations of their classroom performance during that year. New teachers would be evaluated twice a year during their first two years in the classroom. Bill 110 would allow for parent-student input as an integral part of a teacher's performance appraisal. However, parental and pupil comments would not be the sole factor in the unsatisfactory rating of a teacher. An important aspect of the teacher appraisal system is to provide support and facilitate teacher improvement. The point of Bill 110 is not to dismiss teachers but to ensure teaching excellence, and teaching excellence can only benefit the students and the young minds we're trying to educate and bring forth as responsible citizens in our society.

Bill 110 sets clear procedures to be followed if a teacher receives an unsatisfactory performance appraisal. This process could allow school boards to dismiss teachers who continue to receive unsatisfactory ratings after being given the time and support needed to improve their classroom performance. It's important to note that school boards will continue to be required to follow due process when dismissing a teacher.

#### 1710

Bill 110 also provides safeguards to prevent low-performing teachers from moving from school to school or from board to board to escape accountability for their performance. Before hiring a teacher from another school board, the hiring board would be required to check with the previous board on the teacher's performance. In addition, boards would be required to check with the Ontario College of Teachers to confirm that the teacher is in good standing with the college.

Teaching is a challenging profession. Teachers play a critical role in influencing young minds, helping students reach their full potential and shaping lives for the better. All of us here remember a teacher or more than one teacher who played a critical role in our development. I can say that it is very important for our young people to have teachers as role models who are able to give the instruction that is necessary for those young minds to advance.

Bill 110 is win-win legislation. With the passage of the Quality in the Classroom Act, 2001, parents will know their children are being taught by the most professional teachers in Canada, taxpayers will know they are receiving value for their education dollars, and all Ontarians will know we are moving closer to an education system that is firmly focused on quality, accountability and improved student achievement.

In closing, I think this piece of legislation complements and enhances the reforms that have been brought



forward by this government in improving the standards and the quality of education for the students of this province.

**The Acting Speaker:** Questions and comments?

*Interjections.*

**The Acting Speaker:** It doesn't matter to me, but it's going to be one of you.

**Mr Smitherman:** Go ahead.

**The Acting Speaker:** It looks like it's going to be the member for Timmins-James Bay.

**Mr Bisson:** Thank you to the member for allowing me this opportunity.

I just want to say again to the government members that you're trying to mask this as being a measure that the government is going to put in place that's somehow going to really improve the quality of education in Ontario. I look back and I say you guys have it wrong. You haven't quite figured this out. You're saying to us on the one hand that you care about education, but you're going to do what you call performance evaluations with teachers strictly in the public sector. You say nothing of looking at the issue of what happens to teachers who are teaching students in the private sector. Those students are just as important, in my view, as those in the public sector. So there's a bit of a double standard here. You're saying we're going to test teachers only in the public sector; we're not going to do it in the private sector. I say, if you're doing that, then it tells me that you're doing it for reasons other than to give us assurance that we're going to have a better system of education and provide better quality.

Then the member goes on to say, "All these other measures that we've done up to now have also increased the quality of education in the province." One of the members before, I think it was the member for St Paul's, made this point, and I think it's a good one: it's a valid point to make that when we look at the testing that was done to the students through the system at grades 3, 6, and 9, what we're seeing is that the level of success has not gone up during your time in government. In fact, in many cases, it's actually gone down.

So the issue is, is this really about providing better-quality education? I think not, because if you were really serious about that, you'd make this standard apply to everybody in the teaching profession. That's something you're not doing, so I have to believe what this is about is like many of your bills: put out a good line, give a good press communication, another fight with teachers. Let's get back to helping kids.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to be able to take part in the debate today. I'd like to comment on the remarks this afternoon by my colleague from Barrie-Simcoe-Bradford, Mr Tascona.

The reforms we've made in education in the province of Ontario, obviously many times they've been controversial. But I'm curious to see how many of those reforms are actually wrong. I don't think any of them are wrong.

As we look toward the future of our province and our country, it's clear that we need a highly skilled work-

force, highly trained people who are able to work in a global economy and able to work with one another across the planet. The teacher testing, or the qualifying test, or the promises we made in the 1999 provincial election are all part of our party's platform to make the education system in our province better.

I think it's clear that although there is still some controversy around this, we are on the right track with teacher testing. I've heard from a number of constituents, teachers and parents and other stakeholders, who would like to see some things changed a little but who clearly are quite pleased with the direction we're going in.

Mr Tascona made a few comments on some of our initiatives, and I'm pleased to be able to make a few other comments and support his here this afternoon.

**Mr Bryant:** I don't support his comments, with all due respect. The member for Barrie-Simcoe-Bradford is one of the members, also a member of the bar, who I know has said, in defence of testing teachers, "Well, counsel are tested every day," as if teachers are not tested every day. I would ask the member, and I'm interested to hear what he would say in response—he knows very well that in order to become a member of the Law Society of Upper Canada, there are examinations to be written to qualify for the bar, leaving aside the examinations you write to get your LLB, but then that's it. There are no further tests, and he knows that. So why, if there are no further tests for his profession, for which I think we both share a commitment to quality—I would hope so, anyway—would we want to impose that on teachers?

Again, I agree with the comments that have been made by the members for the third party to the effect that, look, this is obviously a political ploy. If the government were committed to quality in education, then it wouldn't have cut \$1.4 billion.

**Mr Smitherman:** How much?

**Mr Bryant:** It's \$1.4 billion, and do you know what? We're just talking about the city of Toronto alone, between 1997 and the present.

You can't take blood from a stone. Testing teachers is trying to distract the public, obviously, from what the government has done miserably, and also from what the government has not done, and that's to make the appropriate investments in public education. A big corporate tax cut in an already competitive field? "Fine," says the government. But cuts to public education? "Also fine." We say that's wrong.

**The Acting Speaker:** There's one further spot left.

**Mr Smitherman:** I'll use this two minutes as a warm-up for my act which will follow. This is like an entr'acte, but that would be gobbledegook, probably, for the member opposite, who doesn't think that theatre ought to be part of the—

*Interjection.*

**Mr Smitherman:** Are you reading this heckle? Did you get your staff to write something down? I've yet to see you say an unscripted word in this place. But if you're able to, that would be terrific.

I want to say in response to the presentation from the member opposite, we hear more of the same from this

government sausage-maker communications machine, which provides to each member the same monotonous drone, on and on.

I say to the members who are here listening and to those people at home: testing, testing, one, two, three. Hello, government, did you get the message? The people are on to you, because they've seen the test scores, they've seen the results, the six lost years, the six lost years of this government now coming home to roost, to see that the results here again fail to match the quality of the government's rhetoric.

I note that the title of this bill is An Act to promote quality in the classroom, but it would be more appropriately titled, "An Act to exacerbate the double standard between the public school system and the private and religious school systems," because here again you have perpetuated the circumstance covered in so many other bills—including one that deals with a mechanism to track down sexual predators in teaching—that does not include the students who are in the private and religious systems. That's a shocking circumstance, and this bill yet again moves along in the same way that this government does. I think that will speak well for itself.

1720

**The Acting Speaker:** Now for up to two minutes to respond, the member for Barrie-Simcoe-Bradford.

**Mr Tascona:** I'd just like to comment on the members. I appreciate their remarks. I understand they're all well-intentioned.

Just to deal with the member from Timmins-James Bay with respect to standards, the standards for new teachers are very simple: all new graduates of Ontario faculties of education and all teachers new to Ontario would be required to take the Ontario teacher qualifying test and pass it to be certified and qualified. There's no double standard. The member from Simcoe North, who is the parliamentary assistant to education, focused on increasing the quality for teachers. That's what this is all about in terms of enhancing their abilities to teach and support.

The member from St Paul's, his observations: I understand he maybe has been a lawyer; I'm not really sure. Yes, lawyers going into the profession are tested, but the fact is there's also a continuing education requirement which is monitored by the law society, and there are also standards on performance in terms of how they provide their legal work, not only in terms of the quality, but also in terms of their integrity. And if those are lacking, they face the ultimate penalty: the loss of their profession in terms of disbarment.

I think the member opposite should understand that from the legal profession's point of view, and also the other professions that are subject to standardized testing and also continuing education, to make sure they're up to speed, because it's in the public interest to make sure that they provide a quality service. That's what this is all about: the public interest.

The member for Toronto Centre-Rosedale, I can't make any comments because he didn't really say anything worth commenting on.

### *Interjections.*

**The Acting Speaker:** Is the Minister of Corrections finished?

**Hon Rob Sampson (Minister of Correctional Services):** Yes, he is.

**The Acting Speaker:** That's good. The floor is now open for further debate.

**Mr Smitherman:** It's my great pleasure to be here on Thursday afternoon, the Texas league of members being present, where no great expectations are that any member, least of all me, would be able to hit a ball out of the park. But I am delighted this afternoon to have an opportunity to be here, surrounded by the warm embrace of colleagues opposite, in particular the Minister of Labour. I'm happy to report to him on another matter that is of much interest to him: the city of Toronto is currently considering two shelter proposals for Etobicoke at his request.

I had a chance a minute ago to speak a little bit about the quality of debate in this chamber, and I must say that the Minister of Correctional Services gave an excellent heckle a moment ago, and as one who from time to time tries to make those, I applaud him for it. But I would say that he ought to perhaps muster up just a little objectivity, and I think that he would see that the quality and the energy of the participation in this debate from members on this side of the House is at a far higher level than the other side. That is because that is a government that is out of juice. We see here just one more piece of evidence about the extent to which this government, for two and a half years—since June 1999—has been living on re-treads, retreads of the stuff that worked early on for them but which no longer cuts slack with the people of Ontario because the rhetoric is of a much higher quality than the results. That is the story of this government with respect to its educational initiatives. The news has come back from the front, and the story on the front lines is that test scores are down, down, down. That is your responsibility and you will bear that.

The Minister of Labour, in an earlier opportunity to speak—he's the chair of the government machismo caucus; not the Mensa caucus, that's ably chaired by someone in the fourth row, the member from Kitchener—went to some length to remind us that this was really just one more opportunity for the Harris government and the Harris-like gang that seeks to replace him, one more right-wing than the next, just one more reminder that when push comes to shove, and with these guys it almost always does, in the absence of really knowing what to do, they resort to only what they know, which is to pick a fight.

I have heard so often in this place and before I got here about how they're doing more with less, but the fact of the matter is that if you really wanted to improve the efficiency of our education system, if you really wanted to address the quality of the outcomes, and similarly our system of health care, then you would take a look at the front-line workers. As an employer, you would say—



**Mr Gill:** On a point of order, Mr Speaker: Do we have a quorum present?

**The Acting Speaker:** Would the clerks please check for a quorum.

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** The member may continue with his speech.

**Mr Smitherman:** I just want to say how pleased I am that the government members have swarmed in to listen to the quality remarks I'm delivering. I must say to the viewers at home that they need to understand there's a responsibility on the government's part to have 12 members present during debate. When a quorum call occurs, that's because we've fallen below that number. Today we had a quorum call that was initiated by the government because I was getting under their skin, because they didn't like to hear the truth.

The fact of the matter is they don't like to hear that the biggest threat to the public education system in this province is Mike Harris and his band of Tory Lite. No matter which one of them might make the ascendancy to the throne as Premier, rest assured they will wear the responsibility for the chaos and decline they've brought to the system of public education.

I want to complete a thought I started on just before the quorum call, and that is this: if you had the responsibility as a manager, which a government does, for the relationships with valued employees, which by extension our front-line health workers—our nurses—and our front-line education workers—our teachers—are, then you would act as an individual Mr and Mrs Jones or Smith who are sitting at home and watching this in a fashion that your government does not. Instead of, for six years, picking a fight at every opportunity and looking for division rather than bringing people together, you would want to have a motivated workforce.

The chief government whip spoke earlier about his employees who have been with him for 20 or 25 years. I thought he must have been a pretty decent employer. He's a nice man; he must have been a good employer. But it seems that he's out of step with his government, which doesn't apply the principle of having a well-motivated and contented workforce. Instead, they want to have people who wake up every single morning, people charged with the responsibility to take care of our most vulnerable and to teach our children—this government's modus operandi has been to start the day on attack and to hope the teachers and the nurses wake up angry. They have sought to divide them, and Bill 110 is a stunning repeat performance.

1730

This is the government that likes to say, "We're just doing what we said we would do." But I think they all acknowledge that the big—I can't say the word I was about to say. During that great consultation with the people that occurred in June 1999, no information was

provided to tell people that \$500 million a year would be funnelled from the public education system to a voucher program for private and religious schools. I say that is perhaps the strongest piece of evidence yet that the government's fundamental agenda is to destroy the public education system. The test scores reflect that; the decline in school experience for kids reflects that.

I had an opportunity to talk to lots of kids. We all talk about how we're connected to our constituents. But these guys must not talk to the same high school students I spoke to, kids who came out of Jarvis Collegiate after a five-year career in high school with very little good to say about it because of the chaos you deliberately created every single day.

The member for St Paul's did an excellent job of raising the extent to which this government has contributed to the decline of the educational experience for students in the city of Toronto. They just say, "Doing more with less." Eighteen hundred dollars a year less per student: that is the impact of this government's cuts on the quality of education for the kids I have the responsibility of representing.

I want to say that in the face of all the government has done, the indefatigable spirit of the people of Toronto Centre-Rosedale lives on. We're going to work around you and over you and above you. I know that the teachers who teach at Park school in Regent Park, which on November 17 will be adorned with the name Nelson Mandela school—he will be there. I know that those teachers wake up every single morning with the best interests of those kids at heart, and I know that members opposite don't. They wake up every single morning trying to see how they can further destroy the system of public education, as the minister who's here, now the Minister of Natural Resources, set out to do in his widely publicized video. But we're going to work against them.

Ainsworth Morgan, a terrific guy, recently returned to Regent Park, where he grew up, after getting his education and playing for a couple of years, I think, for the Toronto Argonauts. He's come back to Regent Park to help educate those kids, to work with those kids. He's an example of the kind of teachers we have, that we're able to attract in the urban core of the city of Toronto. I'm very proud of those teachers, and I'm very proud to stand with them against this government.

The last comment I want to make is to the member for Bramalea-Gore-Malton-Springdale, who mocked the member for Sarnia, who spoke about the need to create a whole person. He referred to that, I think, as "gobbledegook." The fact of the matter is that one of the areas of significant decline as a result of this government's budget cuts is in things like music programs. The effect on our civilization over time from things like that will be dramatic.

**The Acting Speaker:** It's now time for questions or comments.

**Mr Dunlop:** This is a good guy.

**Mr Prue:** I hope to be a good guy. Thank you very much for those comments.

One of the statements you made in your quite eloquent—I don't want to call it a diatribe—but very forceful comments, was about the students and about the chaos in the school. Quite frankly, I think that has been part of the legacy of the government.

When you talk to students who have been through the system in the last five years in high school they don't have the same general comments as if you'd talked to students who came immediately before them. I hope the next set of students don't have the same sort of life experiences with teacher strikes and disruptions in the classroom and cutbacks and no textbooks. I think that all too often we forget that it's not about testing teachers, but that we need to provide for the students. That's the important thing, the provision for the students.

The second element you talked about is the pride of teachers. I think we all in this room have teachers whom we were very proud of. I just want to remind the government members opposite that these were the same teachers who did not have teacher testing. We remember those good teachers. They were not subject to teacher testing, but they were good teachers all the same.

I ask all of you to think back through all of your public school days and your high school days, even though, like me, they were a long time ago, and think whether you actually had a bad teacher. I have sat here throughout this whole debate trying to remember my teachers from kindergarten right through to university and whether I ever actually had one who did not care and who did not contribute in some way to my education and my well-being and the fact that I am here today. I cannot think of a single one who failed. I cannot. I ask you to think about whether or not they failed, because if none of them failed you, then why are we doing this?

**Hon Mr Stockwell:** Let me just talk, firstly, about the member opposite and the quorum situation. It's true: the government has a responsibility to keep quorum in this House of 12 members. What I'm finding more and more often is that every time the member gets up to speak, it's our responsibility to have all 12 members here. Why? Because he can't seem to get any of his own caucus in there to listen to him speak. That's kind of difficult. We always expect at least somebody to come in to listen to Mr Smitherman talk about the oratory of wisdom that he—we welcome every Thursday afternoon, these Torontonians who sit around this place, most of us, and 905ers. So I might add, I wouldn't mind a little help next time, George, with the quorum thing. Bring a couple of your friends in and—oh, all your friends are here from your caucus. OK. I just wanted to get that clear so we can get the quorum thing straight. I appreciate that.

Let's talk about education just quickly in the last minute or so. I don't believe for a moment that anyone in this House wants to build a public education system that doesn't work. I think we all want an education system that works. The disagreement we have is on what we institute. I do take some exception to the member opposite complaining, suggesting that we're trying to tear down the system. We're not. We just happen to believe

in teacher testing. We happen to believe in different things than you happen to believe in.

I've got two kids in the public school system, and they've been in the public school system since they started school. One's in grade 9; one's in grade 7. I want a good public school system and I believe this makes for a better one, so I am a little disenchanted when I hear the member opposite suggesting that all we want to do is wreck the public education system. It makes no sense. I want a good system for my kids to go to school in. I think we should stop that, because all we're trying to do is build a better system. You just happen to think the system would be better in a different way than I do.

**Mr Bisson:** On the issue of teacher recertification, the point I heard the member make and that I think is a point we need to take into account is that if we're going to get into a debate in this Legislature about how we need to recertify various professions—for example, we think architects should be recertified every so often; we think lawyers should be recertified; we think accountants should be recertified; we think electricians and plumbers and various tradespeople need to be recertified—that's a debate that I'm prepared to get into. I would argue with the government that there may be some value in doing that.

For example, I'm a tradesperson who went through the electrical apprenticeship system almost 20 years ago now. If I were to try to go back into the trade today, compared to what it was the last time I worked in it, which was about 15 years ago, there would be a huge gap in my skills and knowledge to be able to perform the job adequately. So there is an argument, I would argue, for having real recertification of trades and professions. I think that's a debate all of us are prepared to get into.

1740

The difficulty I'm having with this debate is that we're saying there is only one class of individual in our society that we believe as a Legislature needs to be recertified, and those are teachers. I say this is nothing more than a bill this government has put forward to try to garner public support by way of votes by saying, "We're going to pick another fight with teachers."

If we want to talk about recertification, let's talk about it generally, about how we're going to do that in various trades and professions that we as a province have control over. For example, in most of the skilled trades, such as electrical, plumbing and mechanical—all of those trades—they are trades directly certified by the province of Ontario. I'm prepared to get into the debate of, should we recertify electricians every three years or every five years? Should we recertify teachers? I'm prepared to get into that debate, but I'm not prepared to get into this debate when we only have one class of people that we're going to recertify. I'll speak to that a little bit later.

**Mr James J. Bradley (St Catharines):** I think we recognize that quality in the classroom is important, and nobody in this House is going to quarrel with that. When speeches are made in the House about it, we have to think about how this affects members of the teaching



profession, whether they happen to be in private schools or in public schools, for instance.

We would assume, now that this government has made a choice to indirectly fund private schools, that it would make all the rules that apply to publicly funded schools the same as rules that apply to private schools where there's public funding given indirectly. That would make all kinds of sense. In this legislation, my understanding is that's not the case because there may be a significant number of people in the private schools who are not certified teachers.

You will recall there was a previous piece of legislation the government brought forward dealing with sexual misconduct within the teaching profession in the public school system. I noticed that did not apply entirely to the private school system, yet this government has chosen to provide funding to private schools in this province through a sort of voucher system that they have. If they want to be consistent, I think they have to have the same rules wherever there happens to be public funding in existence.

Second, I don't think there's anybody in this legislature who would believe that members of the teaching profession should not, as they come into the profession, be prepared for it, should not be properly certified. People believe that. I think what we have seen within the teaching profession are people who are justifiably suspicious whenever this government brings legislation in as to the motives the government may have in that regard, and that comes from a significant history of confrontation with members of the teaching profession.

**The Acting Speaker:** The member for Toronto Centre-Rosedale has up to two minutes to respond.

**Mr Smitherman:** I can't say I'm surprised that I've been unable, through the course of this debate, to hold the limited attention span of the Minister of Labour, my friend from the riding of Etobicoke Centre, which is my home riding. When I think about educational experiences, I had the opportunity in my life to share a home room seat—no, I didn't share the seat—to sit side by side with Kathleen Stockwell, and I'll tell you something: the education experience I had at good old Burnhamthorpe Collegiate in Etobicoke outweighs the quality of the education experience had by most of the OAC students I've had a chance to speak to who just left Jarvis Collegiate. That is the indictment of your government.

You can say I use language that is inappropriate, but I'm someone who believes fundamentally in the public education system as one of the single most important ingredients that brings our multicultural society together. I had the opportunity in my riding to witness Black History Month interpreted by white kids and Asian kids. That's the kind of experience that's in the public education system. So when I see a government that acts on the basis, I think, of a public opinion poll and certainly not on the basis of any commitment they made during an election campaign to channel 500 million bucks out of the public education system in favour of the private and religious system, then I believe I'm on pretty good

ground to draw the conclusion that the efforts initiated by the former Minister of Education, now the Minister of Natural Resources, which was to create a crisis in education, is in fact the government's *modus operandi*. We see here yet again today, in this bill, the creation of a double standard: one set of protections in one system that does not translate to the other. I say with all due respect to the member opposite, that is wrong, and you will pay.

**The Acting Speaker:** Thank you. The floor is open for further debate.

**Mr Bisson:** I have only 10 minutes at this point to respond and to give comments on this bill. It's rather unfortunate that we've changed the rules of the House to the point that members are not able to participate to the degree that they would like to, because there are a number of issues that I would like to be able to lay out in my presentation on this particular bill that I think are important to this debate.

Let me just put it straight out: should we have a system by which we check teachers' qualifications to teach in the province of Ontario? I generally say yes. Should we have a method by which to make sure we do basically what are teacher evaluations or skills evaluations of various workers across the province of Ontario? I think generally that's a good idea. I can understand the rationale behind the government wanting to do teacher evaluation. I think there's some benefit to that.

Generally, if we were to look at a system of re-evaluation of the various people who work in professions and trades in the province of Ontario, who happen to be certified by way of the provincial Legislature, then I would say we're on to something. As a person who ran a small business and also as a person who worked as a chief steward inside fairly large organizations, I understand the value of a human resources department every year coming back to its employees, sitting down, doing an evaluation and saying, "OK, you've been here for a year. Let's see how your year went." You're evaluating the work that the individual has done, making recommendations on how they can do their job better and then having some sort of follow-up process to make sure that you give the employee some support to be able to go forward and do better the next time, and every year or two coming back with some mechanism of re-evaluation.

I think that's a debate that, quite frankly, all sides of the House can agree on. I can't believe that the Conservative caucus would be opposed to the idea of having real types of re-evaluation for people who we certify, as the Legislature, in either trades or professions in the province of Ontario.

I can tell you, as a New Democrat, I don't have a difficulty with that. In fact, the Royal Commission on Learning, which was put in place when we were in government, came back with a recommendation to do exactly this. The problem I had at the time with the recommendation of our own commission was we were looking specifically at teachers, and I feel you can't scapegoat. You can't go to one class of worker in the province and say, "We think it's of paramount public importance to go back and to re-evaluate and recertify

you, but we're not going to do it to anybody else." That's the problem I've got with this legislation.

Should we be checking and rechecking the teachers' ability to deliver the text and deliver the curriculum in the classroom? Yes. I have no argument with that. Should we have a system of re-evaluating the skills of teachers? I have no argument. I agree fundamentally with the idea.

The problem I have in the application of this law is that we're only doing it to one class of worker in Ontario. And you know as well as I do, anybody who follows mildly or closely or even in a more strict sense the decisions of the Supreme Court of Canada and the decisions of the human rights tribunals, that once you get into the process of treating people differently, in other words, one class of person is treated differently than the other, it raises an issue of discrimination.

I know that some people on the other side will say, "Well, no, we don't see this as discrimination; we see it as bringing one class of workers up." And I say not. What you're basically doing here is you're saying, "The only people we're going to recertify are teachers."

My argument as a New Democrat is, if we want to get into re-evaluation and retesting or whatever term you want to use, let's do it to the various classes of people that we have control of in this Legislature: skilled trades and other professions. I think that would be a debate that makes some sense. Why not have some sort of a process where the government has a program where we can assist employers to do re-evaluation of workers in our own workplace so that we're able to learn as employers and as people responsible for training what is not going on right with those employees so that we're able to bring their skill levels up. As a debate, I think that makes some sense. But when you come here and say, "We're only going to do it to teachers," I've got to say to myself, "Why just teachers?"

1750

The reason, I think, is very simple. This government has, over and over again, tried to pick fights with the profession of teaching in the province of Ontario. For what reason? I think they're varied. I think one of them, quite frankly, is they love fighting with teachers because they see teachers as a privileged lot within our society. A lot of people in our society are somewhat jealous of teachers because of this supposed special arrangement they've got as far as their contractual obligations under the collective agreements when they teach, having summers off and Christmas off and March break off. Some parents and some people out there feel a little bit jealous of that, so the government is trying to insert itself into that debate, saying, "We're on your side, taxpayers of Ontario. We're going to go out and we're going to bang those teachers on the head."

It doesn't do anything to elevate the standard. It doesn't do anything to increase the quality of education to the children within the public system. I argue that if you want to do this, do it to all individuals over whom we have control as this Legislature and let's not do it to one class of persons. If you do, then I believe you're getting into the issue of a certain amount of discrimination. I

don't know if there is a basis for a discrimination case here but it would be interesting to see what more learned minds on the bench would have to say on that. But at the very least, let's not go ahead and do something that just targets teachers, because other than that, I think it becomes an exercise in teacher-bashing.

What are the kinds of things we should be doing? The Minister of Labour got up a little while ago and said, "I believe in the public system." I have great respect for what he said. "I've got a child in grade 9; I have another one in grade 7," and as a parent, he wants to make sure that those children have a good experience in school and that those children are given the best quality of education we can afford as taxpayers of the province of Ontario. In some way or other, we need to make sure we get the best bang for our buck.

As a New Democrat I respect what he says on that point, because as a parent whose children have now gone through the public system—one has now graduated three years of college and two years of university and the other one's in university—I can very well understand what the minister is trying to say. But the way we do that, I believe, is not by way of doing this. I think there are other things we have to do.

I'm not saying that we should coddle teachers, but the point I make here is this: we should give the teachers the respect they deserve as professionals who teach our children. We should make sure that we properly fund our schools so that schools have the money necessary to be able, through the funding formula, to provide the types of programs that are necessary for the child's education.

I am really upset about some of the decisions that school boards have had to make because of the new funding formula—now no longer new—that the Tories put in place some years ago, because now they're having to make choices within school boards about which programs they pull back on. For example, in the city of Toronto many of the programs that are necessary to build tolerance and understanding between the races are now being taken away.

I think that's wrong. I think as a society we should be promoting those types of programs because our society is a very diverse society—culturally, linguistically and by way of race—and we need to be able to get people to see each other for what they are, other human beings, so that we can find ways of being able to live together. I think, in the system of public education, we need to look at a system that tries to focus on the positive and those things that we're able to do to give students the kind of education they need.

I say to the government members across the way, by way of wrap-up, that I don't disagree with the fundamental principle of recertifying teachers and retesting teachers. The idea is not a bad one when it comes to its concept. But when you come into this Legislature and say, "I am only going to do it for teachers and not for other people who are out there whom we have authority to license by way of diploma or by way of certification," I say to you that I have a problem, because I see you treating two different classes of people in a



different way, and to me that's fundamentally wrong. We should not be doing that.

The only other thing I would say to the members with regard to this particular initiative is, I have to wonder if it hearkens back to comments that were made by the Minister of Education of the day, one Mr Snobelen, back in 1995, who said, I remember, "What we need to be able to do in this province is to create a crisis in education in order to be able to justify the type of ideological changes that the PCs want to do in education."

I hearken back to that comment. I look at this legislation, I look at other legislation that you put in place before, and I would say that if anything had happened to Mr Snobelen back then, it's that he should have been fired from cabinet for having divulged what was basic-

ally a cabinet secret at the time, because certainly that's what the government proved by way of its actions when it came to what the education agenda was for his government.

**The Acting Speaker:** It now being close to 6 o'clock, this House will stand adjourned until Monday at 1:30.

**Hon Mr Stockwell:** On a point of order, Mr Speaker: It's not 6 o'clock. It's five to 6, Mr Speaker.

**The Acting Speaker:** It's four minutes to 6, and the former Speaker would know that the beginning of the two-minute responses must be completed before we go, and the discretion is with the Chair.

*The House adjourned at 1556.*

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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 29 October 2001

Lundi 29 octobre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 29 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 29 octobre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** After three weeks of stonewalling and refusing to address concerns of patients and parents over cuts at the London Health Sciences Centre, it was nice to see you blink in London last week, Minister of Health.

The hospital's scoping exercise is riddled with inaccuracies and incorrect information, an exercise that has gone terribly wrong.

Dr Lawrence Hurst, chair of plastic and reconstructive surgery, said that the scoping document says that 339 patients had uninsured procedures in one year, and this is wrong. The true number is 42 cases. The \$73,000 profit from these cases is, again, pure fiction; the training program will be irreparably damaged; and none of the major stakeholders were ever consulted.

Dr Guy DeRose of vascular surgery points out more incorrect information that was supplied to the board: a cost of \$600,000 a year—not true; that the procedure is experimental—again, not true; and that the waiting list will be reduced—incorrect again.

Tuesday night the hospital's entire department of surgery, representing 50 surgeons, will be appealing to the board to reconsider this ill-conceived, error-riddled process.

Before this minister gets too absorbed with his leadership aspirations, now is the time for you, Minister, to show some real leadership. The minister must immediately intervene into what's going on in London. Consider the value of this academic centre that provides tertiary and quaternary care. Stop the scoping exercise and ensure that the appropriate funding is allocated to the London Health Sciences Centre now. Show some leadership.

#### PORT HOPE LIONS CLUB

**Mr Doug Galt (Northumberland):** I rise in the House today to recognize the 70th anniversary of the Port Hope Lions Club. For seven decades, this club has played an important role in Port Hope and the surrounding community, supporting in excess of 30 noteworthy causes. They have been successful in raising

funds in a variety of manners such as bingos, street fairs and car draws.

These funds have been reinvested in the expansion of the recreation centre, the creation of a local swimming pool and the erection of a Friendship Arch some five years ago. In 1996, they made a declaration of continuing community service to the mayor of Port Hope, re-dedicating and pledging themselves to the continuing civic life and welfare of their community.

They have also regularly canvassed for the Canadian National Institute for the Blind.

As the oldest Lions Club between Montreal and Toronto, The Port Hope club has also been key in sponsoring other Lions Clubs in the neighbouring communities of Bowmanville, Whitby, Peterborough, Oshawa, Cobourg and Bewdley. This is indeed an exceptional legacy of outreach.

The Lions Clubs International motto is; "We serve," and The Port Hope Lions Club exemplifies this in all of their community endeavours.

On Saturday I will be attending the 70th charter anniversary to recognize the efforts made by the Port Hope Lions. Please join with me in acknowledging the worthy contributions this organization has made over the past 70 years.

#### SOINS À DOMICILE

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Je prends la parole aujourd'hui pour exprimer mes graves inquiétudes concernant le manque de personnel de soutien pour les services de soins à domicile, plus précisément, dans le secteur rural. Le gouvernement avait bien indiqué qu'il augmenterait le niveau des services en place puisqu'il était préférable de garder les personnes âgées dans leur foyer aussi longtemps que possible.

Voici la situation actuelle pour le secteur rural depuis la privatisation des services. Le bureau d'Ottawa se voit avec une pénurie de personnel désirant desservir les petits hameaux tels que Navan, Cumberland et Sarsfield. À cause de la distance entre leurs clients, ils ne peuvent desservir le même nombre de personnes dans le secteur rural que dans le secteur urbain.

Une autre grave lacune s'ajoute au sérieux problème. M. Édouard Cléroux senior de Navan se voit recevoir des soins à domicile deux jours par semaine mais de deux différentes personnes : une francophone et une unilingue anglophone. Hors, M. Cléroux est une personne âgée de



88 ans, francophone, qui ne peut aucunement parler ou comprendre l'anglais.

Les membres de la famille Cléroux essaient depuis des mois de rectifier ce problème, mais sans succès. M. Cléroux n'a pas de choix que de continuer avec le même service, qui le rend inquiet et complètement vulnérable.

Étant donné ces faits, comment peut-on expliquer aux gens du secteur rural qu'ils ne sont pas à la même hauteur des autres, puisqu'ils ne reçoivent certainement pas la même qualité de services ?

J'implore le ministre pour veiller à ce que tous les gens de l'Ontario reçoivent la même qualité de services et qu'ils ne se sentent pas délaissés et pénalisés en raison de la négligence du gouvernement.

### LABOUR DISPUTE

**Mr Gilles Bisson (Timmins-James Bay):** Again we find ourselves in the same situation over the last couple of weeks when it comes to the residents at the St Mary's Manor in the city of Timmins. We've been after the Minister of Labour for some two weeks now to intervene on behalf of the workers, the very workers who are going to be fired by their employer because the employer does not want to go to the bargaining table to find a contract for those people that have joined for the first time a union of the St Mary's Manor.

I've asked the minister on a number of occasions to facilitate a process that would bring the employer to his senses and I'm going to offer him another one today. The Canadian Union of Public Employees has filed procedures under the Labour Relations Act against the employer for bad-faith bargaining. I'm asking that the Minister of Labour speed up the process to hear that prior to November 4 because, as you know, Minister, November 4 is the date that the employer is going to fire all those employees. We're asking the Minister of Labour to facilitate the Ontario Labour Relations Board hearing of the workers ahead of the date we have now, which is January, and move it up sometime before November 4—I see I've got your attention, finally—to try and get this heard.

I think all of us would have to agree that at the end of the day, this is not a fair situation for the workers. You can't allow an employer to say, "Heck, I don't want a union, so I'm just going to fire people." That's not the Ontario I believe in.

### HARVEY PARTNER

**Mr John O'Toole (Durham):** I rise in the House today to pay tribute to the late Harvey Partner, who served for over 20 years as a hydro commissioner in Clarington. Last Thursday, Veridian Corp, our local electric utility—I might say successful electric utility—held a ceremony at the Clarington operations centre in Bowmanville. At that time, they dedicated this building in memory of Harvey Partner.

Mr Partner was the first chairman of the reorganized Newcastle Hydro Electric Commission and began serving the communities of Bowmanville, Newcastle and Orono as early as 1980. He was chair of Orono Hydro for eight years, but his role as a hydro commissioner doesn't begin to describe all the things he did for his community.

Harvey Partner was the quintessential volunteer. He served as captain of the fire department, president of the Orono Chamber of Commerce and as a trustee for the Police Village of Orono. He was a sponsor and coach of many local teams, and a successful business person who spent over 30 years in the retail business of plumbing, heating, electric installation and service.

I would like to recognize the members of the Partner family, who were in attendance and honoured with this week's opening: Mr Partner's wife, Bernice, sons Harvey Jr and Jim, daughters Pat Mercer, Wendy Partner and Bonnie Jackson, and grandchildren.

I'd also like to congratulate John Wiersma, George Van Dyk, Pauline Storks and Dave Clark of Veridian Corp for recognizing Harvey's important contribution and for the successful opening of their operations centre in Bowmanville, part of Veridian Corp. Thank you for the opportunity to talk about my riding of Durham.

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### IMMIGRANT SETTLEMENT AND COUNSELLING SERVICES

**Mr Dave Levac (Brant):** I rise today to speak on behalf of Lill Petrella, executive director of Immigrant Settlement and Counselling Services in my riding of Brant. Ms Petrella has written me about her concerns of the challenges facing the mental health program and subsequent concerns about the disparity in funding compared to other mental health programs in Brant.

The agency operates the multicultural mental health services program which provides assistance to the culturally diverse population of Brant experiencing a serious mental illness. The program has received no increases in its core operating budget since 1984, despite growing program costs. Even with a shortfall of almost \$67,000, all expressed concerns to the ministry program consultant regarding their budget shortfalls continue to fall on deaf ears, always with the same response: "There is no new funding."

Ms Petrella writes, "Our agency practises sound fiscal management and has always utilized program funds in a responsible manner. The bimonthly transfer payments which we are currently receiving from the Ministry of Health do not cover program expenses. Furthermore, we are no longer in a position to absorb these costs from fundraising initiatives intended for other programs within our agency."

There are other mental health programs in Brant that receive 100% of their costs and funding for new facilities and initiatives from the Ministry of Health, as well as their lease, while their agency continues to struggle to meet program costs and receives zero per cent for rent.

I ask the Minister of Health today to end this disparity and make sure that our municipality receives equal funding.

#### AWARDS OF RURAL EXCELLENCE

**Mr Garfield Dunlop (Simcoe North):** Last Thursday evening I had the privilege, along with Dr Galt, to attend the third annual Awards of Rural Excellence in Alliston. The awards ceremony recognized the outstanding work being done in rural Ontario. Just some of the recipients of the award were the Brant Agri-Business Opportunities Association, which won the 2001 economic development award, and the J. Steckle Heritage Homestead, which won the 2001 award for outstanding volunteerism.

The Minister of Agriculture, Food and Rural Affairs also announced last Thursday that the province would invest \$240,000 in support of the Ontario Rural Council, which is one of the sponsors of the awards ceremony. The Ontario Rural Council is a forum that brings together those who share a commitment to building strong rural communities and organizations. The council provides a unique and important opportunity for multi-sector co-operation within the rural sector. The government supports growth in rural Ontario and we are glad to support this organization that provides a unique and important opportunity for co-operation by government, industry and residents of the rural sector.

I'd also like to recognize the Foundation for Rural Living, another sponsor of last Thursday's ceremony. As most members know, the foundation's mission is to ensure the very best quality of life for all rural citizens toward a vibrant Ontario. I'd like to thank the foundation for all of their excellent work. I'd like to also thank Minister Coburn for his support of this organization.

I'd also like to welcome all of the young people and their teachers and parents who are in the audience today.

#### BORDER CROSSING AT WINDSOR

**Mr Dwight Duncan (Windsor-St Clair):** On Friday of this week the provincial Ministry of Economic Development and Trade is going to be hosting a meeting to discuss the border situation with a number of officials from the states of New York and Michigan and Ontario and the federal government. I urge the ministry to extend an invitation to our local municipal politicians—our mayors and so on. In addition, I would say the federal Minister for International Trade, M. Pettigrew, will be in my community of Windsor this week, on November 2, to see at first hand the problems we are experiencing at our border crossing.

My leader, Dalton McGuinty, attended about two and a half weeks ago, along with my colleagues from Essex and Windsor West, to meet with local business leaders. I implore one of the ministers in this government to come to our city and meet with our business leaders, and I implore the Minister of Transportation particularly to

make the decision today, as a first step, to upload Huron Church Road to the provincial government. That is the busiest border crossing in the country. This government downloaded it some four years ago, and the municipality cannot afford its upkeep.

So I invite them to come to our community this week. Don't be the last ones to the table; be the first to the table. Show some leadership. Take a role that can be meaningful, not only to my community but indeed to the whole province. The Minister of Transportation's silence on this issue is appalling. It's time you did something like the rest of the governments around North America are doing.

#### ROYAL CANADIAN LEGION BRANCH 43

**Mr Jerry J. Ouellette (Oshawa):** I'd ask all to join me in congratulating Emil Baumgartner, president, and the entire executive of Royal Canadian Legion Branch 43 in celebrating its 75th anniversary on October 26.

During these 75 years, Branch 43 has been tirelessly serving veterans, their families and our community of Oshawa well. Branch 43's charitable donations through their poppy drive and other club events include \$180,000 in 1978-79 to various charities, and today's are too numerous to mention. From the November 9 to December 31, 1929, records showing how Branch 43 helped 42 families with \$383.88 of assistance or today's veterans and their families whenever they need it, to instituting a bursary program that awards two local high school students with a four-year scholarship program to further their educational needs, Branch 43 truly touches the entire community.

From its humble beginnings in the old council chambers where it started in 1933 to the momentous laying in 1933 of the cornerstone of the then-called Post 43 on Centre Street, today the club is located at 471 Simcoe Street South, thanks to the members' dedication and commitment to raising the building funds needed.

They are also founding members of Oshawa's rich sporting tradition. All minor baseball in Oshawa has been sponsored by Branch 43 since 1948, and the Oshawa Legionnaires Junior A hockey club has been sponsored since 1974.

I would once again like to ask you to join me in congratulating the 1,800 members of Branch 43 on their 75th anniversary, and I would like to personally say thank you for all your dedication to our community.

#### VISITORS

**Ms Marilyn Churley (Toronto-Danforth):** On a point of order, Mr Speaker: I know everybody in this House will want to join me in welcoming grade 5 students from Withrow Public School in the riding of Toronto-Danforth, who are with us today in the gallery.

**Mr Joseph Spina (Brampton Centre):** On a point of order, Mr Speaker: There's a class visiting here from



Messiah College in Grantham, Pennsylvania. They join us every year to watch how we conduct Parliament in the Legislature in Ontario, and I just want to welcome them from Pennsylvania.

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## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I have several motions here. I'd like to seek unanimous consent to put forward a motion regarding private members' public business.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mrs Ecker:** I move that notwithstanding standing order 96(d), Mr Sergio and Mr Peters exchange places in order of precedence such that Mr Peters assumes ballot item number 40 and Mr Sergio assumes ballot item number 45; Mr DeFaria and Mr Kells exchange places in order of precedence such that Mr Kells assumes ballot item number 70 and Mr DeFaria assumes ballot item number 36; and Mr Beaubien and Mr Gill exchange places in order of precedence such that Mr Gill assumes ballot item number 34 and Mr Beaubien assumes ballot item number 61.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

### APPOINTMENT OF HOUSE OFFICERS

**Hon Janet Ecker (Minister of Education, Government House Leader):** This is regarding the Deputy Speaker position.

I move that the order of the House dated October 15, 2001, be rescinded and, notwithstanding the order of the House dated October 26, 2000, David Christopherson, member for the electoral district of Hamilton West, be appointed Deputy Speaker and Chair of the committee of the whole House; Bert Johnson, member for the electoral district of Perth-Middlesex, be appointed First Deputy Chair of the committee of the whole House; and Mike Brown, member for the electoral district of Algoma-Manitoulin, be appointed Second Deputy Chair of the committee of the whole House.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Motions?

**Hon Mrs Ecker:** Mr Speaker, I believe I would like to have another couple of conversations with the House leaders in the next few minutes on the final motion, so I may, if we have agreement, ask for unanimous consent on it at the end of question period.

**The Speaker:** That's fine. I look forward to that.

## ORAL QUESTIONS

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Community and Social Services. Minister, you will be aware that the Toronto Star has been running an eye-opening and, I would describe, very sad series on the plight of Ontarians with developmental disabilities and their families.

There are families in Ontario to which some very special children have been born. These are kids who, in a very real sense, will not grow up. These children look to their parents on an ongoing basis for some help. In some cases, where these children find themselves in their forties, their parents, elderly now, are helping them with their baths, using the toilet, brushing their teeth, shaving them, changing their diapers and those kinds of things.

This is exhausting work and it is provided entirely out of love by parents to their children. By the way, that work performed by those parents for their children saves taxpayers tremendous money. I believe that those families need our help.

Minister, can you tell me, what is the minimum standard of help which all of these families are now receiving?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** The ministry and the government of Ontario provide a range of supports to help people with developmental disabilities. Two years ago, we increased that budget by \$35 million, last year we increased it by \$50 million, and we announced an unprecedented funding commitment of \$67 million in capital and an additional \$197 million expended over the next four or five years.

We provide a range of services in terms of the standard: special services at home, residential supports, day programming, a range of employment supports, and a particular program, Foundations, to help young people when they leave the school system, and a range of supports. If the member opposite wants to talk about specific ones, of the array of programs, old and new that we've just begun, I'd be pleased to discuss it with him.

**Mr McGuinty:** Minister, I can tell you that you are not ensuring that today in Ontario there is a minimum standard to which each and every one of these families is entitled. That is not the case.

I encourage you to read the stories that appeared in the Star. What is happening on the front lines is that if you are capable as an advocate and looking out for the interests of your child, and you can push hard, then you get help in your family. But if you don't, then you do what so many thousands of those families do. They lead lives of quiet desperation, and now they are very worried,

especially as the parents get on in years, about what is going to happen to their children.

On top of that, if these children do end up in a group home, they can face very horrific problems there. There are stories of abuse: sexual, verbal, physical and financial. There are no ministry standards for dealing with abuse. You've investigated recently 274 incidents—only 12 of those were in fact investigated. The Provincial Auditor tells us that you are not doing nearly enough to follow up on these reported incidents.

Why is it that you have no standards, Minister, to protect our most vulnerable children from abuse?

**Hon Mr Baird:** The ministry does influence a whole series of standards through a number of methods, including annual licensing reviews, annual inspections to ensure compliance, the reporting requirements; in addition, we do a number of random audits.

I'm the first to acknowledge that we can do more. That's why we sought an unprecedented funding increase in the budget to help people with developmental disabilities—the biggest funding increase, in fact, in Canadian history.

We're dealing with the issue in a number of ways. One, we're addressing where the critical need is that the Associations for Community Living and other local service providers around the province have cited, and that's funding for staff to ensure they can attract and retain the very best qualified people to work with these, our most vulnerable citizens. Of that, \$31.7 million will go toward this year alone. That money has not only been committed, it is out the door and being spent and benefiting people right across the province of Ontario.

That's the first part of a five-year investment. We want to do more training, and in year two of this unprecedented funding reform, we'll be doing initiatives with respect to training and ensuring the setting of standards. Many agencies use an organization called Accreditation Ontario to validate in terms of the quality of life that these—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up. Final supplementary?

**Mr McGuinty:** Minister, here's what the Provincial Auditor said in connection with the incidents of abuse that had been reported to your ministry. He said in his 1999 report, "We found no evidence that the ministry had reviewed or, where necessary, followed up on many of the serious occurrences reported."

That's his assessment of your failure to protect our most vulnerable children, who find themselves in families where parents are struggling to continue to assume their heartfelt responsibilities.

To sum it up, Minister, we have no minimum standards in Ontario when it comes to providing assistance to these families. There are no minimum standards in place, obviously, to ensure that you follow up on incidents of reported abuse.

It seems to me that one of the most important ways that we might judge a government, Minister, is how well you are doing when it comes to protecting our most

vulnerable. I ask you once again, why is it that you are failing to protect some of our most vulnerable citizens—children with special developmental disabilities—and why are you failing to help their parents, who are struggling to assume their responsibilities?

**Hon Mr Baird:** I certainly welcome participation in this debate from the member opposite. This is something which I personally have been working on for more than two and a half years. As to the member opposite, this is the first question he's asked in this regard in the two and a half years since I've been minister.

I can tell you I'd be quite prepared to listen to the comments of the president of the Ontario Association for Community Living, who said after our announcement, "This commitment to multi-year funding will be a tremendous help in addressing critical needs over the coming years."

I could look at the president of the Superior Greenstone Association for Community Living: "Thank you again for keeping your word and working so hard to ensure the supports and services required for people with developmental disabilities are available."

Or I could look to his own caucus: "One of the good things that the budget did" is that it did some good things for the developmentally handicapped, "and they ought to be congratulated" for that, "because it was long overdue." That's Greg Sorbara, his own member for Vaughan-King-Aurora.

## GOVERNMENT ADVERTISING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Chair of Management Board. Mr Minister, we learned with some surprise that last Friday you put out a release entitled New Rules for Government Advertising, and it says that you will now have new standards that will provide a distinction between government advertising and partisan advertising.

Well, talk about closing the barn door after the cows are out. Six years later, you've spent close to a quarter of a billion dollars on partisan advertising. All along apparently you couldn't afford enough textbooks for our children, you couldn't afford enough hospitals and nurses for our sick, and more recently your government couldn't even afford to keep working for them the best biohazard experts that we had on the job.

Now that you can finally admit that you have spent close to a quarter of a billion dollars in partisan advertising, Minister, I'm wondering, when is the Ontario Progressive Conservative Party going to reimburse Ontario's working families the full amount?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** It's a very strange statement to be coming from the Leader of the Opposition considering their dismal record in terms of advertising as well. Certainly the record speaks for itself, the fact that the Liberal government of which the Leader of the Opposition was a part had far more spending in advertising than this current government did.



Secondly, for the very first time you would think the Leader of the Opposition would say, "Thank you." It's an important step to take. They certainly had the opportunity to do this when they were in government. They certainly chose not to take those steps. For the very first time, we're able to differentiate very clearly, and this is a response to the Provincial Auditor's report as well; we now have standards that govern paid advertising. So clearly if it's something they believe in, and it's something that we have done, he should be in a position to say, "Thank you for doing something that we believe in too."

**Mr McGuinty:** Clearly you responded because you felt the heat; it's not because you saw the light, Minister.

We're very, very interested in these new standards of yours. We have yet to get hold of a copy of them. But if we look back on the close to one quarter of a billion dollars you spent on partisan advertising, I'm just wondering, Minister, on behalf of taxpayers generally but more specifically our hard-working families, which among that quarter of a billion dollars, which among those probably close to 100 ads, according to your new standards, were partisan? And of course, if they are now deemed by you to be partisan, will you now also, Minister, reimburse our families?

**Hon Mr Tsubouchi:** The Leader of the Opposition has talked about finally seeing the light. You certainly had an opportunity, sir, during the five years in which you were in government. Probably at the time you figured that was a train coming at you through a tunnel.

I've got numerous examples of advertisements that were done by the Liberal government of which he was a part, in which a lot of the complaints they had—

*Interjections.*

**Hon Mr Tsubouchi:** I hear members over there squeaking at me now. I would certainly be glad to hold them up and show pictures of various people, which I'm sure they don't want me to do. The fact of the matter is, the government saw fit to act on this. The government saw fit to bring in some rules that clearly define what government advertising—

**Mrs Sandra Pupatello (Windsor West):** What are you talking about?

1400

**Hon Mr Tsubouchi:** The member says, "What are you talking about?" There are numerous examples. For example, there was a Ministry of Natural Resources ad.

**The Speaker (Hon Gary Carr):** Answer?

**Hon Mr Tsubouchi:** I'm responding to the member from Windsor. Here is an advertisement from the minister at that time, who was Lyn McLeod, showing a picture of that particular minister. I have numerous examples of this sitting in my binder.

**Mr McGuinty:** I really appreciate your history lessons about what happened in the last millennium, but I wonder if you might focus on this century, this millennium and the activities of your government.

Apparently, you find nothing wrong with any of the ads your government has run in the last six years. You

find nothing wrong with the close to \$250 million of taxpayers' money you spent on partisan advertising, which tells me your new standards are nothing but propaganda.

If you really want to get to the heart of the matter, you know what has to be done. I put forward a bill twice in the Legislature. What it does is take the decision-making regarding advertising out of the hands of any of us here in this chamber and puts it in the hands of the Provincial Auditor, an independent third party who can make a determination as to whether an ad is in the public interest or in the interest of the party that happens to be governing. If you want to do the right thing, if you really want to crack down on partisan advertising, then why won't you take my bill and run with it?

**Hon Mr Tsubouchi:** I heard some suggestions as to what to do with Leader of the Opposition's bill, and they're certainly not to run with it.

The Leader of the Opposition says, "Let's not talk about the last millennium." I can only assume he's talking about the time the Liberals spent in government as being the last millennium, which means of course he's talking about himself as a dinosaur.

The fact of the matter is, the Provincial Auditor made some suggestions. We responded to the Provincial Auditor's report. Now we have the advertising content directive and guidelines to provide standards governing paid advertising. This is something new. This is something we, as a government, felt was necessary to do, and that's why we advanced it.

Certainly that member had an opportunity for five years and saw fit not to do anything, and now he's squeaking at me. Sorry, that's the answer.

## BRUCE GENERATING STATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance. Today we have even more evidence that your dirty deal to sell off our electricity system—in this case the Bruce nuclear generating station—is going to cost the people of Ontario a lot of money. Despite your efforts to keep the information secret, the privacy commissioner has forced you to disclose that in your lease of that generating station, British Energy is getting a \$7.7-billion asset for next to nothing.

Since the chairman of British Energy is rubbing his hands in anticipation of the profit they're going to make in Ontario, tell the people of Ontario what it's going to cost them when you sell off this public asset at bargain basement prices.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The reality, with respect to the Bruce nuclear situation, is that an investment which in the end will be more than \$3 billion is being made by Bruce Energy.

With respect to the issue of the publication of documents relating to the lease—and it is a lease, not a sale; OPG remains the owner of the Bruce nuclear facility—I'm sure you'll know that the lease documents were released to the CBC some months ago. That's hardly

keeping documents confidential. I think they did a special on it, if I recall. So the leader of the third party will know that the important lease documents have been in the public domain for some months.

**Mr Hampton:** The finance minister will know that he has tried to keep the Provincial Auditor from evaluating this deal. Our member for Nickel Belt put forward a motion over a year ago to have the Provincial Auditor look at this lease deal, and your members tried every step they could, every procedure they could to avoid that happening, just as you tried to keep the information secret from the privacy commissioner.

The fact of the matter is that for a \$7.7-billion asset, British Energy is only going to pay rental fees of \$16 million a year. What a giveaway. And when it's over, the people of Ontario will have to pick up the cost of decommissioning the nuclear facility and the cost of storing the nuclear waste. You're giving away the profits to your corporate friends for virtually nothing, and you're loading the people of Ontario with all the debt down the road.

Tell me, Minister, how do you justify trying to keep this secret from the people, how do you justify trying to keep the Provincial Auditor away from it and how do you justify such a giveaway to your corporate friends?

**Hon Mr Flaherty:** I think that if any government were trying to keep anything secret, they wouldn't give it to the CBC. The lease agreements have been in the possession of the CBC for months. They seem to be news to the leader of the third party, but they're hardly news to the rest of the people of Canada—certainly those who watch CBC.

As the Premier indicated to members last October, the Provincial Auditor is auditing the transaction. It's something he has chosen to do. We support his efforts in that regard. We look forward to seeing the auditor's report. In addition, as with any transaction of this size, we had Salomon Smith Barney provide a fairness opinion which was related to the agreement, and the government's own financial advisers reviewed this transaction as well. So there are many levels of review of this, including a review by the Provincial Auditor, who is an officer of this assembly. I'm sure all members would think that is appropriate, given the importance of this transaction to the future of our province.

**Mr Hampton:** Minister, if you think all the documents are out, then table all the documents, including your government's evaluation of those documents, here today.

You cite Salomon Smith Barney. This is the company you hired to put the deal together. They get \$7 million for putting the deal together. Of course, after they have received the \$7 million, they're going to tell you it's a good deal. They made \$7 million on the transaction. What do you expect?

The Provincial Auditor was delayed from looking at this deal for over a year and a half by your government. You used every stalling tactic, every procedural step you could to avoid having this deal reviewed by the

Provincial Auditor. So I say to you, before you sell off any more stations, nuclear or coal-fired or anything else, if you believe that all the information is out on this deal, then put all the documents on the table here today.

**Hon Mr Flaherty:** I know the member opposite doesn't believe in the private sector being involved in creating energy in this province. This is a \$3-billion investment of private sector money in electricity production in Ontario. We welcome it. I know you don't welcome it.

Under the terms of the agreement, an initial payment of \$625 million before various closing adjustments will be paid in three instalments, as well as annual lease payments. Annual fixed and variable payments in the first year are expected to average approximately \$150 million. In addition, if Bruce Power terminates the agreement, there is a provision for a \$175-million penalty to be paid to Ontario Power Generation, and Bruce Power cannot terminate the lease before January 1, 2006.

These are good, protective provisions for the people of Ontario. This power is going to come on stream. It's good that we have the private investment. It's good for the future of Ontario. I know you don't believe in the private sector, but if you look at the experience around—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up.

#### PRIVATIZATION OF PUBLIC SERVICES

**Mr Howard Hampton (Kenora-Rainy River):** A question to the Deputy Premier—and I say that selling off a \$7.7-billion asset for a couple of hundred million dollars is never a good deal.

I want to ask you about your definition of choice in health care and education. One of the things you and your colleagues boasted about this past weekend at your policy conference was more private choice in education and more private choice in health care. To us, that means private and elite hospitals for the well-off and crowded emergency rooms for the average person in Ontario. It means more taxpayer money for private schools while our public schools crumble from lack of budget.

Tell us, please, Deputy Premier, and tell the people of Ontario now, before any leadership contest is held, what it means to offer "more private choice" in health care and education.

1410

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Dealing with the education issue, the member will be aware of the budget initiative this year with respect to introducing a tax credit for those parents who choose to send their children to independent schools. Ontario has now joined the majority of Canadians and the majority of Canadian provinces in providing some grants to assist parents who for religious, cultural or other reasons choose to send their children to private schools. Of course, they have to pay their full public education taxes in the first place before they pay out of their own pockets to send their children to those schools. I know



that the member opposite would deny that choice to those parents. I gather that some of the Liberal members, although not all of them, would also deny that choice to those parents for their children. That is not our position.

**Mr Hampton:** The question was to ask you to define what you mean and what your government means by "more private choice" in health care and "more private choice" in education. Does it mean there's another step now beyond the tax credits for private schools? Does it mean that you actually get into setting up private clinics and allowing private clinics in health care, and subsidizing them with public money?

Before the last election, your government said you were opposed to public money for private schools. After the election, people found out that was not true. Before you waltz into a leadership campaign, we think you owe it to the people of Ontario to tell them directly what "more private choice in health care" means, what "yet more private participation in education" means. We believe it means lower-quality schools and crowded emergency rooms for the average person and elite services for the well-off. Please tell us your definition, Minister.

**Hon Mr Flaherty:** I could begin by saying that our government views that individuals in our society have rights and that parents have the right to make some choices for their children, that these family decisions ought to be made by families in Ontario and not by the leader of the third party and, quite frankly, not by government, that parents generally know best what's good for their own families in this province.

On the health care side, the government has repeated that we are committed to the principles of the Canada Health Act. They require universal access, as the member opposite knows. There's certainly room in the health care sector for private involvement. Indeed, more than 30% of health care expenditures in Ontario come from the private sector today. In fact, if we go back to 1994-95 and up to the present, there are only four sources of health care funding: the provincial government, the federal government, private insurance and individuals. All three of the latter, every one except the federal government, are contributing more to health care today. It's only the federal government spending—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

#### MINISTRY OF EDUCATION SPENDING

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Minister of Education. Last year, you took a staff person into your office, you paid that staff person the annual equivalent of \$215,000, more than your deputy minister, and the primary qualification of this person, David Small, was as leadership and election campaign adviser to Brian Mulroney, Michael Harris and Jean Charest. For Jean Charest, this person took a six-month contract in that person's office and then became Jean Charest's campaign manager in his leadership contest.

Minister, I want to ask you, on behalf of parents and students who have to go to schools in this province every day without textbooks, without education assistants, how you justify paying \$180,000 of taxpayers' money for your personal political advice.

**Hon Janet Ecker (Minister of Education, Government House Leader):** The honourable member, not surprisingly, is wrong again in his facts. This individual was not retained by the ministry office, was not put on staff. He was a consultant who, through the due process, was hired by the ministry to provide communications advice on policy initiatives this government was bringing forward. We were very clear what they were, we were very clear where we were going with them, and Mr Small had expertise that was necessary to help this government communicate those initiatives. I would suggest to the honourable member that he might want to check his facts about what he's doing instead of spreading allegations that have no basis in fact.

**Mr Kennedy:** I hope Mr Small threw in that response for free, because it isn't worth very much to the people of Ontario. What they want to know is how the Minister of Education is paying a personal political adviser \$180,000. That is as much money as 19 elementary schools raised in their private fundraising efforts. That is seven education assistants who aren't there this year, and families are struggling and the minister know this.

Minister, you were over budget by almost \$4 million in your office requirements last year. You spent over \$5.5 million on advertising and communications and you spent \$180,000 on personal political advice. I want to ask you, what assurance will you give this House that this expenditure will not take place again this year and that David Small won't show up on your leadership campaign?

**Hon Mrs Ecker:** I know you love to spread these allegations around, but this ministry and this government have hired, and will continue to hire, expertise in a whole range of areas—whether it's communications, whether it's some other area of expertise—because we want the best advice we can get to help us put forward the best policy initiatives and to help us communicate those in the most effective fashion.

I find the honourable member's allegations quite offensive, not based on fact. If he has proof of wrongdoing, he should prove it instead of standing up here and trying to besmirch the government or individuals who might well provide expertise to assist this government.

#### PUBLIC SERVICES

**Mrs Julia Munro (York North):** My question today is for the Chair of the Management Board of Cabinet. This government has been very vocal about its commitment to quality public services, and we've heard a great deal about the steps it is taking, and has taken, to ensure that Ontario has the best public service in the world.

Not many people pay that much attention to what goes on in the public service. Most people just know that they

pay their taxes and they want to see something for it. This means that they expect their government to be forward-looking and proactive, not only to solve problems but also to make improvements.

I realize, and I believe other people realize, that government has a more difficult job than businesses in the private sector. But I also know that when I'm in a rush, I don't want to spend hours in a line, no matter what it's for. I would like to know what some specific tangible examples are of the progress this government has made in improving services to the people of Ontario.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** The member is quite right that this government has been very proactive in terms of challenging how we can improve services for people in this province. In fact, the majority of people who have accessed government services have indicated overwhelmingly that they are satisfied with the services and how they access them in the public service. This is the result of changes we have made in the delivery of these services, making them more efficient and certainly more convenient for people across the province to access.

I must say I congratulate the former Minister of Consumer and Business Services, Bob Runciman, and my current colleague Norm Sterling for the lead they've taken in initiating such things as the automatic kiosk, the Web site organized by service as opposed to the old bureaucratic silos they used to have, and certainly the government information centres. I might just indicate that the people of Ontario who have accessed these services have indicated overwhelmingly, in the high 90 per cents, their satisfaction with the services and how they're delivered.

**Mrs Munro:** I appreciate the answer from the Chair of Management Board. I have often seen the government of Ontario kiosk in shopping malls but did not know that they had been so successful. This is truly indicative of the innovative approach this government has taken in a number of matters.

This minister has said a great deal about his commitment to further improving the public service and making it a world leader. From the previous answer, I think we can all see that on a local level there have been improvements in a real and tangible way. Can the minister tell us more about how he plans to measure the future progress this government makes in improving services, and how are we to know if this government's services are indeed world leaders?

1420

**Hon Mr Tsubouchi:** I thank the member for York North again. I might say that I guess I can add the member from Toronto-Danforth to that group. As I was giving my first answer she said, "You're so wonderful." So I'll add you to the group of the high nineties percentile who are satisfied with government services.

I must say that imitation is the best form of flattery. Since we've embarked upon these initiatives for the Ontario government and for the people of Ontario, 130 nations have visited Ontario to see how we have trans-

formed the types of services and how we provide them, and we've received numerous awards. I'd like to take a moment to inform the people of Ontario that among these awards are the Commonwealth Association for Public Administration Management, the Canadian Council for Public-Private Partnerships, the Institute for Public Administration in Canada, and the CIO Canada ITX Awards for Technology Innovation.

I believe these achievements speak for themselves. The recognition we've had in this province speaks for itself, and certainly it's for the benefit of the people of this province.

*Interjection.*

**Hon Mr Tsubouchi:** I assume that also includes the member for Toronto-Danforth, who I am sure is saying how good these services are once again.

### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Attorney General regarding Ipperwash. We have a copy of the typed notes from the police command post on September 5 and 6, the day before and the day of the shooting death of Dudley George. They were, as you know, prepared from handwritten notes taken at the police command post. We've now found that at least six critical elements that were in the handwritten notes—three of them referring to the Premier, by the way—were edited out of the typed version prepared and given to defence counsel. You've had four weeks now to be aware of this situation.

My question is this: who made the decision to edit those comments out and why did they make that decision?

**Hon David Young (Attorney General, minister responsible for native affairs):** The member opposite raised this issue a number of weeks ago; that's quite true. Immediately thereafter I began to ask questions of the appropriate individuals within the ministry. What I learned, somewhat to my surprise, based on the inference of the question, was that not only the original, handwritten document that he referred to was produced to the accused and their counsel but also the typewritten document that he has referred was produced. So in fact there was complete disclosure, I am advised, and, based upon that, it was all in the hands of the accused.

At no time during the trial did anyone raise an issue as to disclosure. All the information was there; they could do with it what they would. Frankly, they didn't think it was an issue then, but of course the member opposite is trying to make it an issue now.

**Mr Phillips:** The Attorney General has acknowledged that there were dramatic changes made between the handwritten notes and the typed version. The question remains: who made that decision and why?

I would like the public to be aware, and I am publishing the six very significant changes from the handwritten notes to the typed. One says, "Premier is in constant touch, good communications." This is the police



command post, handwritten notes. No reference in the typed notes.

In another issue, Mr Beaubien and, it indicates, two other people made a fax and sent it to the Premier. Five minutes later the command post was called and it was stated the Premier's office would be acting on it. No reference in the typed notes.

In another place, the commanding officer said, "Premiers no different treatment from anybody else—we're ... on right track." In the typed version, no mention of the Premier's comments.

In another very serious one, one of the police officers went to see the First Nations. They indicated that they are happy to have the burial ground dealt with.

The question remains, Attorney General, who made the decision to omit from the typed version these extremely critical and important comments, three directly involving the Premier?

**Hon Mr Young:** This might be an issue if the member opposite had facts like the ones he thought he had at the commencement of this dialogue some four weeks ago. But in fact both the handwritten note and the typewritten note were provided to the accused. That is the information that I have been provided with.

If it was an issue then, the individuals involved, the individuals with something at stake, could have raised it with the judge. But they thought it wasn't necessary. There was no issue as to disclosure then; there is no issue as to disclosure now.

In spite of what the member opposite thinks, he is not a judge; he is a member of provincial Parliament who must be respectful of the judicial system. He thinks he's Judge Gerry; he is not.

#### RURAL JOBS STRATEGY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, we all know that rural communities in Ontario are essential for the economy and well-being of the province. We also know that one quarter of the province's population live in areas outside of our urban centres. We also know that having rural young people continue to live, work and invest in their own areas is essential to maintaining the vitality of these communities. However, in my riding and, I know, elsewhere, many young people leave for the city right after high school, either for further education or to get a job, and often they don't come back. What are we doing to encourage young people in rural Ontario to stay closer to home?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I thank the member from Haldimand-Norfolk-Brant for the question. I am pleased to report that our investment in the rural youth job strategy is paying off big time, with more than 10,000 jobs and work experiences for young people in our rural communities. That is a result of a \$35-million investment we made for long-term job creation, and this increases the employability of our Ontario youth.

To the end of June, our investment of almost \$25.4 million has resulted in the injection of nearly \$64 million into getting rural young people good jobs and good training in their own communities. This rural youth job strategy is paving the way for businesses, entrepreneurs and communities to eliminate barriers to employment in rural areas for our rural youth.

**Mr Barrett:** I wish to thank the minister for those facts and figures. I consider \$64 million quite significant.

Minister, the rural youth job strategy fund has supported many different projects in my riding of Haldimand-Norfolk-Brant. The young people in my area consider it an opportunity to get some valuable work experience. Could you give us a few more details of what specifically the program has done, for example, for rural businesses, light manufacturing and the need for a skilled labour force in rural areas and small-town Ontario?

**Hon Mr Coburn:** One that I like to talk about is the Excellence in Manufacturing Consortium, better known as EMC. That has been a highly effective program in several communities. This is a project that addresses marketing issues and training needs for our rural businesses and it brings together non-competing businesses to help generate an environment that provides opportunities for interns to increase their skills, training and development expertise. It also improves the quality of the local labour pool. It provides an excellent opportunity for our youth to learn in these internship programs.

More than \$22 million has been invested in EMC projects, resulting in 1,900 young people obtaining work experience at more than 170 manufacturing companies, and the good news is that over 80% of them have obtained full-time jobs.

These consortium projects in Owen Sound, Brantford, Stratford, Midland, Collingwood and Orangeville have proven to be very successful and an opportune time for our youth to gain additional skills.

#### MINISTRY OF HEALTH AND LONG-TERM CARE STAFF

**Ms Marilyn Churley (Toronto-Danforth):** My question is to the Deputy Premier. Dr Martin Preston is the scientist, the public servant, who developed a new method for identifying and tracking the E coli that killed seven people in Walkerton. As a reward for this important scientific work, your Minister of Health fired him.

Today, Dr Preston will be testifying at the Walkerton inquiry. He has publicly warned of more Walkertons in the future. I want to know, why are you firing the experts and putting more lives at risk? Is that the real reason he was fired, because he wouldn't shut up?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I understand that Mr Justice O'Connor is having another day of hearings in Toronto today and some of the issues being canvassed relate to documents that have been produced to the public inquiry into the events at Walkerton.

The member opposite will recall that it was this government that chose to have a full public inquiry, headed by an eminent judge of the Ontario Court of Appeal. I was the Attorney General at that time, and of course had some involvement in seeking to have Mr Justice O'Connor participate. He has been conducting a thorough public inquiry. The commission has reviewed over one million documents provided by the government, a large task but a task in which there has been full co-operation by the government of Ontario.

1430

**Ms Churley:** Minister, you're completely ignoring my question, and I'm going to ask you again. Justice O'Connor of the Walkerton inquiry thinks that Martin Preston is worth listening to, and that leaves all of us asking why you don't. You don't have to be a scientist to understand that Mr Preston is warning that there could be another Walkerton in Ontario.

Minister, if you want to be seen as worthy of being the next Premier of this province, shouldn't you start by coming clean about hushing up this scientist, and shouldn't you take heed of what he is saying? Do the right thing, and hire back Dr Preston and the other scientists that you just laid off. Will you do that, Deputy Premier?

**Hon Mr Flaherty:** With respect to this specific question, I refer the question to the associate minister of health.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I'd like to thank the member opposite for the question. As the member across well knows, the individuals who were working in the standards and methods development unit that she is talking about were not involved in the laboratory investigation of Walkerton. She knows that; she has been told that. They were not involved in developing tests that were used in Walkerton or in the investigation in Walkerton in any way.

The team at the public health laboratories who led the investigation used methods approved by the Centers for Disease Control and Prevention out of Atlanta—she well knows that—to identify the strains involved in Walkerton and to provide an accurate, standardized testing that enabled medical officers of health across the province to respond to water quality issues.

This is not the way the story should be told. The truth is that—

**The Speaker (Hon Gary Carr):** The minister's time is up.

#### GOVERNMENT SPENDING

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Community and Social Services. I'd like to return to the issue of the Andersen/Accenture contract, signed at \$180 million before you renegotiated this boondoggle of a contract. After the renegotiation, you have to date paid them \$193 million in excess of the original amount. Not only that, we now

have a copy of the federal lawsuit launched against this same company, where they are alleging professional negligence, conspiracy to conceal information. This is in fact the same company that you're dealing with.

This company would dearly love to meet with me, and I would love to sit down and talk to them. I have asked them to bring to such a meeting all of the revenue that they have received from this contract from the Ontario government and all the documents that would support all of those receipts. They suggest that the government of Ontario would not be comfortable sharing that information. I can't believe that would be true; you're their greatest defender.

Minister, would you please allow this company to share with me all of that information when we meet?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Day after day, the member for Windsor West comes into this House and makes scurrilous accusations against companies and against the government of Ontario and against public servants. Every day, she has come in here and talked to a question like this. Every day, I find out after question period that she's totally wrong, and I'm not going to presume she's right on this one.

**Mrs Pupatello:** Minister, "scurrilous" is taking Ontario tax money and paying an outside company money you could well have given to your own civil service to do it for you at half the price. You're the one who neglects your own civil service, which could be doing this kind of work for the taxpayers of Ontario. This is a contract you negotiated, which the Provincial Auditor said was outlandish and did an enormous review and gave you a scathing report after that audit was done. Now we are asking you to allow us to see the records, the supporting documentation for \$193 million of taxpayers' money, and that was after you renegotiated a \$180-million contract. This is the same company that, when you started to renegotiate, started making significant contributions to the PC party.

Minister, stand on your feet today and say you're prepared to allow us to see all that information. You wouldn't dare try to bully this company. You wouldn't bully this House. You have been a defender of the contract, and now we have the right to see that detail—

**The Speaker (Hon Gary Carr):** Order. The member's time is up.

**Hon Mr Baird:** We have strong access-to-information laws in the province of Ontario, and of course they'll continue to be respected.

This project got off to a difficult start. No one in this House does not acknowledge that fact. But the reality is that this project is going to be successfully delivered on time and on budget and is going to yield, as it already has, \$350 million in savings to taxpayers. The public servants at the ministry and our partners at Andersen, now Accenture, can be very proud of the work they have done. We've seen substantial reductions. We're clamping down on fraud and yielding a better welfare system.



The member opposite wants to turn back the clock. She wants to go back to the old money-for-nothing welfare system of the past, she wants to get rid of welfare, she wants to get rid of fraud measures, she wants to go back to the old technology. The old technology didn't work, it didn't support the welfare system, it didn't support a \$5-billion system. Thank goodness this government is finally attacking this substantial problem. Thank goodness this government is finally taking action to clean up a welfare system that her party left.

#### HIGHWAYS 7 AND 8

**Mr Ted Arnott (Waterloo-Wellington):** My question is for the Minister of Transportation, and it concerns Highways 7 and 8 from Kitchener to Stratford. On the rural segment between New Hamburg and Stratford, there have been a significant number of car accidents, claiming the lives of seven people since 1997. Obviously I'm very concerned about these fatalities, as are Wilmot Township Mayor Wayne Roth, his council and area residents. We recognize that the ministry is planning to take action to improve safety at the intersection of Highways 7 and 8 and Regional Road 1, work that should be undertaken immediately. But we also want to ensure that every possible avenue is explored in terms of meeting the best possible standards for safety on this stretch of provincial highway.

Based on my consultations with my constituents, I believe that a corridor study, which is a major study encompassing and addressing safety, traffic, increases in volume and growth, is needed for this highway. Will the minister initiate a major corridor study of Highways 7 and 8 between Kitchener and Stratford?

**Hon Brad Clark (Minister of Transportation):** I want to assure the member that this government shares his concern about safety on our highways in his community. I'm pleased to inform the member that an assessment is in fact being initiated to identify what improvements need to be made on Highways 7 and 8 from New Hamburg to Stratford. In August this year, staff from my ministry met with the member himself and the mayor of Wilmot and reviewed various locations of concern along Highways 7 and 8. As a result of this meeting, staff of my ministry initiated an operational review of the Highways 7 and 8 and Regional Road 1 intersection. This review has resulted in some interim improvements that can be implemented over the short term. The ministry will also be initiating a study shortly to address roadway conditions between New Hamburg and Shakespeare to identify long-term improvements.

**Mr Arnott:** I thank the minister for his answer, and I'm asking this supplementary on behalf of my colleague the member for Perth-Middlesex, who also wanted to have this issue raised in the Ontario Legislature. The member wanted me to inform the House that this stretch of highway is a key route to Stratford in his riding and that his constituents will appreciate the study of this corridor with a view to a better, safer highway in the future.

Our experience, however, is that traffic volume is increasing due to economic development and growth throughout our area. Will the minister address these growing pressures in our area and put a tight timeline on his review? Can he give us a timeline?

**Hon Mr Clark:** As I previously stated, my ministry has completed an operational review of the intersection of Highways 7 and 8 and Regional Road 1. We've taken concrete action to identify additional improvements that can be made.

Furthermore, an assessment is being initiated to review the need for improvements to Highways 7 and 8 between Shakespeare and Stratford. Since we're at an early stage in the process, unfortunately we cannot commit to a completion date. However, I can assure the member that safety along this highway is an important consideration for the government and is being acted upon.

Let me remind this House that Ontario has the safest roads in Canada, and we will continue to work toward our goal of having the safest roads in North America.

1440

#### BAY OF QUINTE WALLEYE FISHERY

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** My question is for the Minister of Natural Resources. The Bay of Quinte has been a world-class walleye fishery—

*Interjections.*

**Mrs Dombrowsky:** Maybe the minister would like to wake up before I answer the question.

The Bay of Quinte has been a world-class walleye fishery which has stimulated and supported local business, tourism and fishing derby promoters for decades. On October 22, your ministry issued invitations to a meeting on October 25—only three days' notice—to about 20 resource users, to consider individual perspectives about the Bay of Quinte fishery.

However, the rumour among the stakeholder groups before the meeting was that it was the intention of your ministry to completely close the walleye fishery in district 8, which stretches from Brighton to Amherst Island. Motivated by this drastic possibility, over 80 concerned stakeholders arrived at the meeting to learn about the ministry's plan.

As it turns out, their worst suspicions were true, and your ministry officials presented your plan to close the walleye fishery for a period of three years as soon as January 2002. Constituents have likened this to your government's lack of process when you cancelled the spring bear hunt.

Minister, will you commit—

**The Speaker (Hon Gary Carr):** The member's time is up. Minister?

**Hon John Snobelen (Minister of Natural Resources):** I thank the member opposite for the question; I'm sure there was in fact a question somewhere in there. I was distracted because Minister Tsubouchi was attempting to steal my jacket.

I can say, in seriousness, that I am pleased to hear that ministry staff continues to try to work with stakeholders across the province on very important issues of how to use our natural resources. We have a long history of doing broad public consultations on how to use those resources.

I can also tell the member opposite that, in the case of pickerel fishing and other species, and in the case of all those consumptive practices of fishing or hunting in Ontario, in accordance with the wishes of the angling and hunting community in Ontario, conservation and protection of species will always be job one for the Ministry of Natural Resources.

**Mrs Dombrowsky:** To suggest that your ministry has engaged in broad public consultation, I'm sorry, is not an accurate description. In fact, the memo that was sent out indicated they were contacting 20 resource users and stakeholders.

The mayor of Napanee, which is known as the walleye capital of Canada, was not even invited. Yet the impact of this decision will be devastating for many private and commercial businesses and non-profit agencies in his community. He, along with other constituents, is concerned about the failure of your ministry to consult extensively with other stakeholders about less drastic measures that could improve the health of the fishery. Aquaculture operators in my riding have indicated they could provide the ministry with reasonable alternatives to improving the fishery.

Minister, is a closure of this fishery a done deal, or are you willing to engage the people in the community who will be most affected by a moratorium? Will you commit today to broad public consultations as soon as possible with stakeholders to improve the health of—

**The Speaker:** The member's time is up.

**Hon Mr Snobelen:** I'm sure I join with the member opposite—in fact, with all members in this chamber—in supporting the work of volunteer groups across the province in helping to keep the habitat for our fisheries in good order and also for some restocking efforts across the province. There are literally thousands of volunteers who help us with fishing.

I can say in response to the member opposite, if this is her question, so that she will understand this very clearly, the Ministry of Natural Resources and the angling and tourist communities in Ontario are committed to conserving species and, when they are at risk, they will set the angling limits at levels that respect the size of the stock and the availability of stock. That's so we can preserve it for future generations. That was our case yesterday and it will be our case tomorrow.

#### SAVE PROGRAM

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Solicitor General. After a beautiful summer, we now find the days getting colder. For many people in my riding of Parry Sound-Muskoka, colder weather means one thing, and one thing only: snow and

snowmobiling. People all over Ontario enjoy this outdoor activity with clubs and trails everywhere.

Minister, last June you were in my riding to announce the SAVE program. Perhaps now is a good time to tell us more about this important new initiative, the SAVE program.

**Hon David Turnbull (Solicitor General):** An absolutely excellent question. You're correct that in June I announced the formation of three new SAVE teams. The OPP have these teams. SAVE stands for snowmobile, all-terrain vehicle and vessel enforcement. Ontario has the most recreational vehicles of any administration in the whole of North America. In fact, of that we have some 365,000 snowmobiles. That's why the OPP formed these teams. The OPP covers 95% of the province's waterways and most of our snowmobile trails. The primary responsibility is for search and rescue. Last year in Ontario, unfortunately 90 people were killed in accidents involving recreational vehicles. This is a tragic and absolutely unacceptable toll, and often alcohol is a factor.

**Mr Miller:** As you rightly mention, often accidents to do with snowmobiles do involve alcohol. I will make my constituents in Parry Sound-Muskoka aware of the fact that drinking and driving charges also apply to the trails. Would you tell the House and the recreational vehicle owners more about the makeup of these SAVE teams and how they will make our trails safer?

**Hon Mr Turnbull:** The job of these teams is twofold: one is enforcement and the other is education. The government is now spending \$2 million a year on these new front-line teams. The investment provides the OPP with new equipment, including 18 all-terrain vehicles, 18 snow machines and nine boats. The teams are highly mobile and can be moved anywhere in the province as needed. They will be dedicated to reducing injuries and fatalities.

Irresponsible and reckless operators are dangerous to everybody. I am putting them all on notice here and now. We will go after you and we will prosecute you. I encourage everybody to have an enjoyable, safe winter.

#### COMMUNITY CARE ACCESS CENTRES

**Ms Shelley Martel (Nickel Belt):** I have a question for the associate minister of health. You and the Minister of Health have both confirmed that you're undertaking a review of community care access centres. What is the mandate of this review?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Let me say, as I think I've said before, that there's a lot of concern out in the public about community care access centres, so the government has decided to look into community care access centres. We've had a number of concerns raised as a result of a number of studies that have been done about community care access centres. We have a Price-waterhouse study. We have a study that was done with respect to Hamilton. We have a ministry-appointed



individual into Hamilton right now. We are looking to ensure that we strengthen the quality of care that is provided in the community and we will continue to work on that process to ensure that the quality of care is available in communities all across the province.

**Ms Martel:** Minister, you know that thousands and thousands of seniors, the disabled and those being discharged from hospitals could be very adversely impacted, depending on the outcome of this review. That is why the Ontario Coalition of Senior Citizens' Organizations, which represents about 130 seniors' groups in this province, has written to you to express their concern about this review and to demand to know why they have not been invited for consultation. They have asked for a meeting with you as soon as possible to express their concerns about community care and to understand the clear mandate of this review.

I ask you, Minister, are you prepared to meet with this coalition as soon as possible, and will you guarantee broad public consultation with respect to this review of CCACs?

**Hon Mrs Johns:** I'm always happy to meet with individuals who want to discuss a policy decision that is being made. As the members opposite will know, there's been a substantial amount of consultation done by each of the studies I've mentioned previously. But if anyone has information with respect to CCACs and how they work in their community and changes that they believe should be made, I'm always happy to hear about those changes and I'm always happy to hear from seniors in Ontario.

1450

## PETITIONS

### AIR QUALITY

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario.

"Whereas the Harris government's wholly owned Nanticoke generating station is North America's largest dirty coal-fired electricity producing plant and Ontario's largest producer of the chemicals and acid gases which contribute to deadly smog and acid rain; and

"Whereas the Nanticoke plant, which has more than doubled its dangerous emissions under the Harris Conservative government, is now the worst air polluter in all of Canada, spewing out over five million kilograms of toxic chemicals each year, including many cancer-causing chemicals and mercury, a potent and dangerous neurotoxin; and

"Whereas the Ontario Medical Association has stated that 1,900 Ontarians die prematurely each year and we pay \$1 billion annually in health-related costs as a result of air pollution; and

"Whereas the Harris government has the opportunity to make a positive move on behalf of the environment by proceeding with the Sir Adam Beck 3 generating facility,

which would produce air-pollution-free electricity in this province and would provide an alternative to the constantly increasing demands placed upon the Nanticoke coal facility; and

"Whereas the Beck 3 generating facility would also provide a major boost to the economy of Ontario through investment and employment in the construction and operation of the facility and in addition would offer additional energy for the power grid of the province of Ontario;

"Be it resolved that the Mike Harris government, as chief shareholder of Ontario Power Generation, order the immediate development and construction of the Sir Adam Beck generating station."

I affix my signature. I'm in full agreement.

### HOME CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Ontario community care access centres deliver home care services to seniors, the disabled and those discharged from hospital so they can remain in their own homes; and

"Whereas Ontario community care access centres need an additional \$175 million from the Ministry of Health this fiscal year just to deliver their current level of health care services; and

"Whereas the Ministry of Health has refused to fund this necessary increase and has further failed to provide the CCACs with equity funding last year and this year, despite a 1998 promise made by the former Minister of Long-Term Care, Cam Jackson, to do so; and

"Whereas this deliberate underfunding by the government of the Ontario CCACs has forced the CCAC boards to adopt a deficit reduction plan which severely reduces the home care services that can be provided; and

"Whereas this reduction has a dramatic impact on clients who cannot afford to pay for these services and will be forced to go without necessary home care;

"Therefore, be it resolved that the Conservative government immediately fund the additional \$175 million requested by the Ontario CCACs this year and, further, provide the equity funding that was promised in 1998."

This is signed by hundreds of Ontarians. I agree with them. I've affixed my signature to it.

### CRUELTY TO ANIMALS

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the

torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I am pleased to affix my signature to this petition.

#### HOME CARE

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition signed by thousands of Ontarians.

"To the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres (CCACs) to purchase home care services for their clients are rising due to factors beyond the control of CCACs; and

"Whereas the funding provided by the Ontario government, through the Ministry of Health and Long-Term Care (MOHLTC), is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act currently before the Legislature, are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational population-based health planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of the fiscal year."

This petition is signed by a great number of constituents in the Little Current-Howland area.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition that has been sent to me by members of the special education advisory committee of the Hastings and Prince Edward District School Board. It reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magneto-therapy, transcutaneous nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I agree with the petitioners and sign the petition as well.

#### CRUELTY TO ANIMALS

**Mr Carl DeFaria (Mississauga East):** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I affix my signature to this petition.

#### AUDIOLOGY SERVICES

**Mr Rick Bartolucci (Sudbury):** I have a petition to the Legislative Assembly of Ontario, and it's entitled,

"Listen: Our hearing is important.

"Whereas services delisted by the Harris government now exceed \$100 million in total;



"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;"—like northern Ontario—

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned,"—from Sudbury, Sault Ste Marie, Timmins, North Bay and Cochrane—"petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I affix my signature to this petition as I am in agreement with it, and give it to Amy to bring to the table.

1500

**Mr Gilles Bisson (Timmins-James Bay):** I have a petition here from the people of Timmins, Cochrane, Kapuskasing, Porcupine and different places, and it reads as follows:

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I sign the petition.

#### DOCTOR SHORTAGE

**Mr John O'Toole (Durham):** I'm pleased to present a petition on behalf of my constituents in the riding of Durham. Steve Risebrough and his wife Gloria are just two of many.

"To the Legislative Assembly of Ontario:

"Whereas the provincial Durham riding, including Clarington, Scugog township and portions of north and east Oshawa comprise one of the fastest-growing communities in Canada; and,

"Whereas the residents of Durham riding are experiencing difficulty locating family physicians who are willing to accept new patients; and

"Whereas the good health of Durham riding residents depends on a long-term relationship with a family physician who can provide ongoing care; and

"Whereas the lack of family physicians puts unnecessary demands on walk-in clinics and emergency departments;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that the government of Ontario will:

"Do everything within its power to immediately assess the needs of Durham riding and the Durham region and work with the Ontario Medical Association, the College of Physicians and Surgeons of Ontario, local health care providers and elected officials to ensure there are enough family physicians available to serve this community;

"Make every effort to recruit doctors to set up practices in underserved areas and provide suitable incentives that will encourage them to stay in these communities;

"Continue its efforts to increase the number of physicians being trained in Ontario medical schools and also continue its program to enable foreign-trained doctors to qualify in Ontario."

I'm pleased to sign this and support it, not just for my constituents but because it's the right thing to do.

#### EDUCATION PEACE PLAN

**Mr Tony Ruprecht (Davenport):** I have a petition signed by a number of residents from Davenport and addressed to the Parliament of Ontario. It reads as follows:

"Whereas Ontario students are experiencing a disruptive learning environment and currently do not have access to a full range of extracurricular activities;

"Whereas extracurricular activities are an essential part of a quality, well rounded education for our students;

"Whereas Dalton McGuinty has put forth the Students First Education Peace Plan as a positive, viable option in restoring goodwill and extracurricular activities for our students;

"Whereas the Ontario Liberal plan is a reasonable compromise creating benefits for all partners in Ontario's education system, particularly students,

"We, the undersigned, petition the Ontario government to immediately adopt the Students First Education Peace Plan to restore goodwill, quality education and extracurricular activities in our schools."

Since I agree with it, I sign this document.

#### HEALTH CARE

**Mr Bruce Crozier (Essex):** I have a petition to the Legislative Assembly of Ontario:

"Whereas we believe that universally accessible, publicly funded health care is sacred and must be protected;

"Whereas Mike Harris intends on turning his back on working families and transforming our system into an American-style two-tier system, where only the rich will get quality health care;

"Whereas we believe that Mike Harris had a secret agenda to promote two-tier health care in Ontario and now the secret is out;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not turn your back on Ontario's working families. Fight Mike Harris's agenda to destroy medicare and fight his plan to create a two-tier health care system."

In support of this, I affix my signature.

#### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children of southwestern Ontario, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action"—and keep blinking—"to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I am in full agreement with this petition, signed by people from Aylmer, St Thomas, London, Strathroy—the list goes on and on.

#### ORDERS OF THE DAY

##### MUNICIPAL ACT, 2001

##### LOI DE 2001 SUR LES MUNICIPALITÉS

Mr Hodgson moved second reading of the following bill:

Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities /

Projet de loi 111, Loi révisant la Loi sur les municipalités et modifiant ou abrogeant d'autres lois en ce qui concerne les municipalités.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** Mr Speaker, I will be sharing my time with the member from Etobicoke-Lakeshore and the member from Oak Ridges.

It gives me great pleasure today to speak to second reading of Bill 111, the Municipal Act, 2001. As I said when I introduced it, this has been a long time in coming.

Many members will know that I got my start in politics at the municipal level. I know from personal experience that municipalities play a vital role in the day-to-day lives of everyone in this province. As municipalities have grown larger and the list of services they provide has grown longer, the task they face has grown more challenging.

As recently as the 1950s, there were more than 1,100 municipalities in Ontario. They provided some hard services—roads, water, sewer pipes—and very few of the so-called soft services. By the 1980s the number of municipalities had shrunk to fewer than 850, and the list of municipal services that people expected, both hard and soft, had begun to grow. Today there are 447 municipalities in Ontario, and each one provides a complex web of hard and soft services in a fast-changing and challenging world.

Governing these municipalities is a body of legislation that has its roots in the Baldwin Act of 1849. At that time, Upper Canada was still being settled and built. The Baldwin Act created municipalities as democratically elected bodies with powers to levy property taxes, mainly to fund the construction of infrastructure—roads and schools, for example—to serve a largely rural society.

Times have changed and, as I said earlier, the municipal role has gone through huge changes. But the philosophy at the heart of municipal legislation remains the same. Since the beginning, municipal legislation has spelled out exactly what municipalities are permitted to do. If the legislation does not say they can do something, they can't. Whenever a municipal council wants to take on something new or respond to some local need, the municipal lawyers have to look through hundreds of pages of laws to see if the authority is there. If it isn't, they have to come to this Legislature to ask for a change or an addition.

The result, after more than 150 years, is a body of legislation that is large and unwieldy. Parts of the current Municipal Act are redundant, referring to municipal duties that have long since disappeared into history. It is little wonder, then, that municipalities have for many years been asking for a comprehensive overhaul.

That's why this government, back in 1995, made a commitment to bring forward a new Municipal Act. We promised an act that would be modern, streamlined and easy to use. We wanted to introduce an act that sets out areas of responsibility for municipalities but doesn't tell them in great detail exactly what they are permitted to do and how to do it. At the same time, we wanted to make



sure to maintain the fine balance among competing interests that has been established over the years, a balance that gives municipalities the authority they need to meet local needs while ensuring a dynamic, barrier-free economy in which Ontario towns and cities can maintain their competitive positions. After several years of discussion with all affected stakeholders, I can assure my colleagues that this legislation continues that balance.

#### 1510

The government released draft legislation in 1998, under my predecessor, Al Leach, and it generated a lot of discussion. Since then, the government, under the leadership of Steve Gilchrist and Tony Clement, has worked with key stakeholders, including both municipal and business groups, to find common ground and achieve a consensus.

Over the last seven months, I've had the honour of steering these discussions. Earlier this year, an understanding was reached among key stakeholders on most of the fundamental issues. At the conference of the Association of Municipalities of Ontario in August, I released an outline of the government's proposed direction. The reaction from all stakeholders was very positive. It was with this high level of support from municipalities and the business sector that I introduced this legislation on October 18.

Let me go over the highlights of this new Municipal Act. If it is passed by the Legislature, it would give municipalities the tools they need to tackle the challenges of governing in the 21st century. It would allow municipalities to organize and deliver their services as they see fit, involving the private sector where appropriate, in keeping with local needs. It would give municipalities broad, flexible authority in 10 areas of jurisdiction. These 10 areas are public utilities; waste management; public highways; transportation systems; culture, parks, recreation and heritage; drainage and flood control; parking; economic development services; structures not covered by the Building Code Act, including fences and signs; and animals. It would also give them natural person powers, to be used in areas in which they have authority to act. Those are the same powers a person has to conduct day-to-day business without the need for specific legislative authority.

As well, this proposed legislation would maintain certain municipal governmental powers such as the authority to tax or to regulate or license certain activities. The legislation proposes some limits to these general municipal powers. For example, a municipal bylaw would not be permitted if it conflicts with a provincial law. Some matters are of significant provincial, as well as local, interest. They include natural environment, health, safety and nuisance. In these areas, the proposed act sets out municipal powers in more detail. Provisions governing these powers would be streamlined.

This broader authority would be balanced by a substantial accountability framework. Municipalities, as you are already aware, Mr Speaker, are subject to a great many accountability measures including, of course, elec-

tions every three years. The proposed legislation would add a few more. For example, licensing and user fee processes would be made tighter and more transparent. Municipalities would be required to report to taxpayers on improvements in the efficiency and effectiveness of their service delivery. They would be required to pass bylaws setting out procurement policies and procedures. These measures are already standard practice in many municipalities.

The proposed new act also includes measures to give municipalities more authority to make their communities safer. It will respond to municipal requests by enhancing municipal powers to deal with crack houses, body-rub and adult entertainment parlours and other problem properties as public nuisances by allowing municipalities to pass bylaws on matters that, in the council's opinion, are or could become nuisances, or ask the courts to close down these problem properties. Such a request would have to be made after giving notice to the Attorney General and with the agreement of the police in order to avoid the possibility of jeopardizing an ongoing police investigation related to the property.

The proposed new Municipal Act would give municipalities the authority to better manage raves and body-rub and adult entertainment parlours by clarifying that municipalities can seek community views before making related licensing decisions. Community input could help identify conditions to attach to the licence and determine whether the conditions are being met. The proposed act would also help municipalities deal with heavily fortified buildings used as clubhouses by motorcycle gangs or by others, by allowing municipalities to enact bylaws to address excessive fortification of buildings.

Although the proposed new Municipal Act would take effect on January 1, 2003, the community safety measures would take effect when the legislation receives royal assent.

The proposed Municipal Act would also contribute to Smart Growth by giving municipalities more authority to set up corporations and involve private sector partners in financing and undertaking public projects.

The proposed new act would also formally recognize the importance of consultation between the province and municipalities that directly affect them. This new Municipal Act, if it is approved by the Legislature, would become the cornerstone for a new, more mature, more productive relationship between Ontario's municipalities and the provincial government.

I talked a few minutes ago about the long consultation process leading up to the introduction of this act and the support we have received. Let me just tell my colleagues about some of the reaction to the legislation when it was introduced on October 18.

The president of the Association of Municipalities of Ontario, Ann Mulvale, called the day of introduction an historic day for municipalities and she predicted the proposed act would improve provincial-municipal relations.

Mississauga Mayor Hazel McCallion noted that her city staff have been working with the Association of

Municipalities of Ontario and the province for years on Municipal Act reform. She said she was pleased with the results.

The Ontario Chamber of Commerce said in a news release that Ontario businesses had been worried that municipalities would have greater access to use user fees and licensing fees as a source of revenue; however, spokesperson Ron McNeill said in the release, "The new act strikes a balance on these issues." Today's announcement indicates that the minister is listening to the concerns raised by the business community.

The president of the Toronto Board of Trade, Elyse Allan, noted in a news release that the board has been involved in the discussions on Municipal Act reform for several years. "We welcome the introduction of the new Municipal Act," she said.

This legislation clearly has the support of people who will be most affected by it. It's a big step forward for Ontario municipalities and the people they serve, and that's good news for all the residents of Ontario who depend on and need these services. I encourage my colleagues to support this legislation.

**The Speaker (Hon Gary Carr):** Further debate?

**Mr Morley Kells (Etobicoke-Lakeshore):** I am pleased to have the opportunity to speak on second reading of Bill 111, the Municipal Act, 2001. I would like to focus my comments on how the passage of a new Municipal Act would allow Ontario businesses to remain vital, to remain competitive and to prosper.

As part of this government's commitment to deliver a new act, we consulted extensively with those who would be most affected by this legislation. This included the business community. We needed to make sure that a new act wouldn't upset the delicate balance that has been achieved over the years among various competing interests. Many business organizations, through their input into our consultation process, helped shape the new Municipal Act. This government expresses gratitude to those organizations for their involvement in this important process. These organizations include the Ontario Chamber of Commerce, the Canadian Federation of Independent Business, the Ontario Home Builders' Association, the Toronto Board of Trade, the Retail Council of Canada, the Ontario Trucking Association, the Urban Development Institute, the Canadian Council of Grocery Distributors and the Ontario Restaurant, Hotel and Motel Association, just to name a few.

I believe this legislation provides more clarity to the business community in their dealings with municipalities, and I believe we have maintained the essential balance between good municipal government and service delivery and the need to ensure a dynamic, barrier-free Ontario economy.

Allow me to briefly outline a few of the proposed provisions that I think will be beneficial for Ontario's business community. Under this proposed legislation, municipalities would continue to be able to licence businesses; however, this legislation includes increased accountability measures, with emphasis on greater clarity

and transparency. First of all, the proposed legislation specifies that licensing only be used for the purposes of health and safety, nuisance control or consumer protection. Municipalities would be required to link any conditions they impose on licensing to one of three areas. This would ensure that there is a clear focus on why a municipality may choose to licence.

**1520**

If this legislation is passed, municipalities will also be required to hold public meetings before establishing or amending a licensing bylaw. The Ontario Chamber of Commerce has publicly stated that establishing the principle that business licensing must be related to health and safety, nuisance control and consumer protection is a very positive step. The OCC supports the proposal which ensures that the most contentious user fees receive the greatest public scrutiny before being enacted. The Minister of Municipal Affairs and Housing, by regulation, would be able to preclude municipal business licensing of self-regulated businesses and to prohibit municipalities from imposing conditions related to testing on the subject matter of certification for trades or occupations that are provincially certified.

Municipalities would also be required to keep a list for public inspection detailing the classes of businesses being licensed, the fees being charged and how the licensing fee has been calculated. This would provide better transparency.

On the issue of licensing fees, this proposed legislation sets out a clear framework for how these fees would be established. If this legislation is passed, licensing fees would be based on directly related costs. These costs must be justified to the public as being directly related to administration and enforcement.

During the consultation process, the calculation of licensing fees was something the business community raised as a concern. I think what's in the proposed legislation goes a long way to address their issues on this topic. Calculation of licensing fees would be up to municipalities and would be appealable to the courts. The cost that would be allowed in calculating a licensing fee includes costs related to the preparation of the bylaw and enforcement of the bylaw, including inspections. Also included would be the costs associated with prosecution and court proceedings and enforcing the bylaw against businesses operating without a licence.

On the issue of user fees, the proposed act includes enhanced accountability requirements, and if the act is passed, municipalities would be required to provide a public list of all user fees. Requiring municipalities to publish a list of fees and provide notice before establishing certain fees or limiting fees to cost recovery would ensure accountability and fairness. User fees would be divided into categories, with different rules applying to each category. The categories and the rules would be established through regulations, and we will continue to work with interest groups on their development. The government believes this is essential. It will foster disclosure and accountability.



Fees that are often disputed would be in a category that would be subject to more process requirements. This could include different notice requirements, sunset provisions and cost recovery limitations.

The proposed act also deals with procurement procedures. We all know that in municipalities procurement procedures have an important impact on the way both the general public and vendors and suppliers perceive the operation of many municipalities. Right now, many municipalities have these kinds of policies in place, while others don't. I believe this creates uncertainty for the business community.

If this legislation is passed, it will be mandatory that all municipalities put in place procurement policies and procedures. We believe this will encourage all municipalities to function in the most fair and open manner when it comes to allocating municipal funds. I believe these proposed changes to licensing, user fees and procurement policies will lead to a greater accountability to the business taxpayer.

In closing, if I may quote from the Canadian Taxpayers Federation's federal director, Mr Robinson, "Citizens, taxpayers, businesses and local governments all stand to benefit from these proposed changes."

**Mr Frank Klees (Oak Ridges):** I'm pleased to participate in this debate. I want to first of all commend the Minister of Municipal Affairs and Housing for bringing this bill forward. I also want to remind members of this House of the amount of work that was done as well by the former Minister of Municipal Affairs, who is in the House this afternoon, the then Honourable Steven Gilchrist, who I know took a great deal of interest in this legislation. We can't forget the work that was done by him.

Of course, the former Honourable Minister Al Leach, because of his extensive experience in this area, also contributed a great deal.

**Mr David Caplan (Don Valley East):** Mr Clement.

**Mr Klees:** The honourable member mentions the Honourable Tony Clement, and we can't, of course, forget his work as well on this portfolio. So we can see that this is a subject that has had a great deal of input from many people.

For years, we have heard about the need for a new Municipal Act. Successive governments have attempted, and failed, to bring this act forward—not for lack of trying, and we understand that. This is not meant in any way to slight members of the opposition, whose efforts we respect but certainly disagree with how they would have gone about this. Somehow, by divine intervention perhaps, they were kept from also interfering with this important piece of legislation.

I want to address some of the structural aspects of this bill. At the heart of the proposed Municipal Act is a new flexibility for municipalities, which we know municipalities have been asking for for many years. It is also balanced with a strong accountability framework that ensures that while on the one hand the municipalities have the flexibility to go about and do the work that they need

to do, they also are held accountable not only by other levels of government but by the public.

This framework includes several new accountability measures, and many that are already in place in the current act. It should be very clear that this act is not a full replacement of the existing act. There are many substantive portions of the existing act that will be continued, but there are significant changes that are being made that are well overdue.

I'd like to speak for a few minutes about the various types of powers that are being proposed under the new Municipal Act that would in fact give municipalities considerably more latitude to do the work they are expected to do by their constituents and how all of these components would work together.

As the members may know, the current act is very prescriptive. Municipal powers are set out in detail in the act, to the extent that if there isn't a specific piece of legislation that actually prescribes that the municipality can do a certain thing or take a certain action, they are prohibited from doing so. So whenever anyone has in the past, whether that be perhaps a councillor on a particular council who comes forward with a new idea or perhaps someone from the business community who comes forward and suggests a new way of doing something that would save money, that would be more efficient, that would be more effective, it immediately sent the lawyers for the municipalities scurrying, checking the various statutes of the act to determine whether they can find the one line in the act that would allow them to do it. If it's not there, then the lawyers' advice—after many, many costly hours of searching the records, searching the statutes—would be, "Sorry, we can't do it because it isn't specifically prescribed."

This act will solve that problem, and it's well overdue. In fact, I know that there have been a number of occasions when I've heard from my colleagues at the municipal level, as I'm sure you have, saying it's time the provincial government stopped treating the municipal council or the municipal level of government as an immature child, that we have to somehow get rid of this parent-child relationship between the municipality and the province. This act has taken that very important step. It means that when municipalities want to do something new, something that hasn't been thought of before, this statute allows that municipality to move ahead.

**1530**

The general spirit of the new act is that it would give municipalities certain areas of responsibility and general authority to deal with those areas of responsibility. At the heart of that approach is the concept of natural person powers. Natural person powers are the powers that any ordinary person has the ability to do.

Many corporations also have those powers. These are the powers that municipalities will need to conduct day-to-day business, like the power to enter into agreements, to purchase and sell land and equipment, to hire employees and to delegate administrative responsibilities to committees, staff members or other bodies, such as

boards of management. Municipalities would only be able to use those natural person powers that are being conveyed through this act to carry out the duties assigned to them through the spheres of jurisdiction that also will be set out in the proposed act.

I'd like to just take the time to itemize those spheres of jurisdiction for you and for members of the public. They will include highways, and that will include parking and traffic on highways; transportation systems other than highways, and that means things like transit, ferries and airports; waste management, which also includes collection, recycling, composting and disposal; public utilities such as sewage treatment facilities; culture, parks, recreation and heritage, and that takes care of things like arenas, parks, museums and art galleries.

It will include drainage and flood control except storm sewers, things like floodways and the purchase of wetlands; structures, including signs and fences, and this would include things like requiring fences around swimming pools; parking except on highways, and that means parking lots and parking garages within the municipality. There is a category that relates to animals, including licensing pets, operating spaying clinics and regulating the keeping of exotic animals. We're hearing a lot of that, more and more, and I think municipalities need the power to deal with these issues. Finally, there is the area of economic development services, including the establishing of industrial parks or the promoting of tourism.

I want to make it very clear that natural person powers would not give municipalities the authority to deliver services or to get into businesses for which they do not otherwise have the legislative authority to do so. It is the intention of this government in setting out these natural person powers in the areas of jurisdiction that they should be interpreted broadly. This would give municipalities more flexibility to govern within these areas.

The government's intention is also that all existing municipal powers should be continued. There should be no concern that this is an initiative or an effort on the part of the provincial government to somehow restrict municipalities and take away authority that they have had to date. That simply is not the case.

The proposed new Municipal Act would provide, in addition to the natural person powers I've just mentioned, governmental powers. These are things like licensing, regulating and the prohibiting of certain activities. Municipal jurisdictions would be able to use these governmental powers only in order to act within their own areas of jurisdiction. There is not an opportunity here for a municipality to take initiative beyond its own municipal borders unless of course there is, as I said before, some other jurisdiction in legislation for them to do exactly that.

The proposed Municipal Act would place some limits on these general powers. For example, municipal bylaws would not be permitted to conflict with the provincial statutes or existing federal statutes that are already in place.

Bill 111 includes specific provisions to govern the actions of municipalities in certain areas, such as incor-

porating a corporation, making investments and borrowing or lending money.

All municipal powers would also be subject to geographic restrictions. Municipalities would only be able to exercise the authorities conveyed to them through this bill within their own geographic boundaries except where Bill 111 or other legislation specifically exempts them or specifically authorizes them to do otherwise. They would be able, for example, to deliver services outside their boundaries only under specific circumstances.

Now, while the areas of jurisdiction relate to things that are primarily of local interest, there are areas in which the provincial government also has a substantial interest, and these include of course the natural environment, health, safety and the area of nuisance. In these areas, municipal powers would be set out in detail in the proposed act, as they are in the current act. Provisions governing these powers would be streamlined.

A number of specific powers would be set out in the proposed act. These include, for example, the power to require landowners to clear refuse and debris from their land. This is an area that I've had a number of constituents appeal to me on in the past. You know, while most people are responsible citizens relative to their neighbours, it does happen from time to time that people don't take care of their property, and so it negatively affects the value and quite frankly the good enjoyment of their own properties, whether that be farm machinery or whether that simply be other refuse that is kept on this property. This act will empower municipalities to move in on that landowner to force them, effectively, to do whatever is necessary to bring that piece of property into order.

There are other powers with respect, for example, to the relationship between the local and county or regional levels of government in Ontario's two-tier county and regional systems.

The proposed act would maintain the existing division of powers between the upper and lower tiers of government. This summary that I have provided you with attempts to outline the broader structure of this bill that, as I indicated previously, is really something that successive municipal governments have asked that the provincial Legislature take initiative on.

I think it is high time, particularly given the complexity of our society today, where there are many creative ways in which local governments could deal with issues that are facing them, it's only appropriate that our government provide them with the structure, with the framework to do what has to be done, at the same time ensuring that the appropriate accountability is in place. There are other areas that I don't have the time to deal with here, but I know that as we continue to debate this issue, they will be raised by members of the House.

One of those areas, just in closing, is the ability of municipalities to deal with businesses in their jurisdiction where members of the community have a particular concern about the nature of the activity that may take place. I'm referring to things like bars, which may create



noise within the community and activity within the community that is inappropriate. We've had examples where there is drug trafficking that reportedly takes place, and there are all kinds of activities into all hours of the morning that interfere with the use of people's homes and other properties or businesses in the area. To this point, municipalities have had a very difficult time dealing with that.

1540

The other subject is body-rub parlours. What municipalities will be able to do under the new legislative framework that we're providing them is to have much more and clearer authority over where and under what conditions businesses like this will be allowed to function within a community.

In closing, I again want to commend our Minister of Municipal Affairs and Housing for bringing this bill forward, and I look forward to what I'm sure will be some positive suggestions, perhaps from members of the opposition who will rise in their places as well in support of this bill, much overdue, and perhaps even have some positive suggestions in terms of how this legislation could be further improved. We're awfully close to perfection here, I'm sure, but we're always open to suggestions.

With your permission, Speaker, I just want to say this: since my change in responsibility in this House has moved me from a chair much closer to you to this part of the House—I am of course in the presence of friends here—my mother has a very difficult time seeing me throughout the course of the day. So she worries from time to time that I'm not here. I want you to affirm to her that in fact I am one of the best attendees in the House, and if there's anything you can do, Speaker, to ensure that I get a little more attention by the cameras, that would be appreciated by my mother. So to her I want to say, "Good afternoon."

**The Deputy Speaker (Mr David Christopherson):** Let me just say to your mother that if past history is any experience, I'm sure the cameras will be drawn to you again very soon and very regularly.

With that, I declare that the floor is now open for responses, and I recognize the member for Don Valley East.

**Mr Caplan:** Thank you, Speaker, and I certainly want to recognize that the member from Oak Ridges is here, and his mother should be assured of that.

I wanted to mention a couple of things. The member from Oak Ridges talked about the 10 spheres of jurisdiction that municipalities have. Interestingly enough, what he did not mention was the fact that this government has downloaded responsibility for things like ambulance, for things like social housing, for welfare, yet in those 10 spheres of jurisdiction which he listed, none of those areas that have been downloaded is included. Isn't that interesting? Perhaps the member from Oak Ridges will tell this House and will tell the people of Ontario why, if municipalities are now forced to fund, to administer, those areas which the Harris government has

deemed their responsibility, it's not contained in this act under the spheres of jurisdiction.

I have a couple of other comments. I refer specifically to part XII, entitled "Fees and Charges." This part bears a great deal of scrutiny, and none of the three speakers had anything at all to say about part XII. Part XII, in outlining fees and charges, is essentially the part, and the people of Ontario should be very concerned, where additional user fees will be imposed, will be increased, will be levied—they're taxes by a different name—on businesses, on hard-working Ontario families across every municipality in Ontario. This too bears a great deal of scrutiny, and if the track record is any indication, this is one that people should be very concerned about.

One other area that I wish to highlight has to do with the area of tax collection. It says, "The Treasurer shall send a tax bill to every taxpayer at least 21 days before any taxes shown on the tax bill are due." Well, tenants are taxpayers—

**The Deputy Speaker:** Thank you.

**Mr Caplan:** Sorry. I'll get to that at a later time.

**The Deputy Speaker:** I have no doubt that you will.

**Ms Marilyn Churley (Toronto-Danforth):** Let me take this opportunity to congratulate you as the new Deputy Speaker of the House. You're following in my footsteps. I know it's a hard act to follow, but you'll do fine.

I'm disappointed; I am so disappointed in this bill because the government had such an opportunity. I have been waiting anxiously for this to come forward, because I admit that one thing they're right about is that this bill hasn't been changed since 1849 legislation and the time has come.

A lot of people put a lot of work in this but they failed. This is a bill that's going to be a failure. You put all this work into it, and it doesn't deal with the realities of today's cities. What is the point? It's such a baby step forward.

Most people out there aren't going to pay a whole lot of attention to something this thick, with a lot of dry information about it, until we start reducing it and narrowing it down to what it means to everyday, ordinary people in our communities. What it means to them are things like how it relates to their housing, their transit, their property taxes and accountable government.

There are no new ideas in this bill. Everything has changed drastically, even since this government forced the amalgamation here in Toronto and clear across the province. We've seen the effects that the amalgamation has had on Toronto, for instance. Toronto is now what I would call a senior level of government, yet this bill continues to treat them as a junior level of government that is still the child of a so-called senior level of government. Yet they've been downloaded so many responsibilities they can take on and are taking on, but without the ability to tax, without the ability to find funds and revenue to help them do their job. I'm very disappointed that this government didn't take that into account and look at giving cities more privileges and accountability.

**Mr Ernie Hardeman (Oxford):** I just wanted to rise and congratulate the Minister of Municipal Affairs on introducing this bill. As has been mentioned here for some time, it would appear that this bill has been about 100 years in the making. I think it's reasonable to assume that if we had a bill that was passed 149 or 150 years ago, the life expectancy of that legislation was no more than 50 years. So I presume 100 years ago they were starting to prepare this bill, and I want to commend our honoured minister for having brought it forward.

I also wanted very quickly to say that the member across the aisle was talking about her disappointment in what was in this bill or what wasn't in this bill according to what she thought should be in it. I had considerable opportunity, for about four years, to discuss the makeup of what was needed in this bill with our municipal leaders, and one of the things they didn't want was that the bill define everything they were responsible to do. They wanted the authority to be able to do the things they thought needed doing in their community. I think that's what this bill is intended to do and does very well. I think if we did what the member across the aisle suggests, we would then be back into the same thing we've had with the Baldwin Act of 1849. We would be back to telling municipalities exactly what they can or cannot do.

Having said that, I want to make a point to our esteemed Minister of Municipal Affairs that, as we look to the act, I see a number of places where he mentions the counties, the regions, and then specifically mentions the great riding of Oxford as the "restructured county of Oxford." There are a number of areas in the bill I would ask him to look at to make sure that what is being asked of the county of Oxford is appropriate for the services they presently want to deliver for their citizens.

**Mr James J. Bradley (St Catharines):** I won't be congratulating the minister, because that's why you have government members. It's the government members' job is to congratulate the minister, and in the opposition to analyze carefully the legislation and bring forward our remarks.

One of the things that's missing in this legislation is any municipal control over condominium conversions. In my own community and in other communities, rental accommodation is disappearing at a very rapid pace. Therefore, we now have a genuine crisis because, willy-nilly, there are conversions taking place from rental apartment buildings to condominiums, and a lot of people can't afford to buy them. We're diminishing the stock of rental housing that's available to people of very modest means. I thought that might be addressed in this act, and it is not.

1550

Also, we need a very strong provincial statement, not just a general statement, to save the farmland. If you leave it to some—not all—municipal politicians, they will, for instance in our area, pave everything from Toronto to Fort Erie and then they'll think they have achieved paradise, when of course what we need is a strong provincial plan and Planning Act that ensures there is protection of that land because municipalities tend to come under great pressures.

Also contained in this is a secret agenda for privatization. There are some municipalities that may embrace that. There's an American firm lurking down in the southern United States that wants to come in and buy up utilities and operate them in some strange scheme that municipalities, strapped for cash, may jump at. You also seem to allow here bonusing, which is competition using municipal taxes for companies coming into an area. Last of all, this still allows the provincial government to download, as they have the last six years, responsibilities to municipalities.

**The Deputy Speaker:** Any one of the three original government members who spoke may now take up to two minutes to respond.

**Hon Mr Hodgson:** I want to thank the member from Etobicoke-Lakeshore and the member from Oak Ridges for their insightful comments. I'd also like to thank my colleagues from across the floor—Don Valley East, Toronto-Danforth and St Catharines—and my own friend and colleague from Oxford, who has an extensive municipal background, for his support of this bill.

I think it's quite obvious that the opposition is going to oppose and try to find other issues outside the purview of the Municipal Act, like the member from St Catharines's reference to "farmland" and other things, where he doesn't trust democratically elected local councillors to shape what their community should look like in the next generation.

*Interjection.*

**Hon Mr Hodgson:** I believe that municipal councillors are motivated because they want to improve their community, that they're not in it for the money, that they are accountable and elected, and they need to have the tools to make sure they can make their communities better places to live.

**Mr Bradley:** There will be no farmland left.

**Hon Mr Hodgson:** I will remind the member from St Catharines, as he continues to interject, that his government was in power for five years in this province. They've been asking for this reform of the Municipal Act for at least 30 years, and intensively since the early 1980s. Mayor McCallion was president of AMO in the early 1980s. She asked for this, and their government wouldn't do it. They didn't believe that local councillors should have more say and flexibility to shape the destiny of their communities. They didn't believe in the local electorate to make the proper decision on who should guide their decisions.

I have a municipal background. I know that municipal councillors do their best to provide services that their citizens need and I'm very proud of the work that's being done by all 447 municipal councils across this province.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I want to indicate at the outset that I'll be sharing my time with the members from Essex and Eglinton-Lawrence.

I'm pleased to rise and join in this debate. Once a year the swallows return to—at the outset I just wanted to say



for the record that I write my own material. I know that's sometimes novel here, but for those watching, this is not scripted by anybody. These words are mine.

**Interjection:** Where did the swallows return back to?

**Mr McMeekin:** They return to Capistrano once each year. Their arrival is as anticipated as it is predictable. Like the swallows, the provincial government converges once a year at the annual meeting of the Association of Municipalities of Ontario, and every year the message is the same: "We admire and respect each and every one of you. We look forward to continuing to partner with you. It's time for a new deal, a new act, a new beginning." You kind of get the drift, Mr Speaker.

The rhetoric is always warm and fuzzy. It's always feel-good time. But after every conference, it's back to the same old thing: policy initiatives launched without consultation; more finger pointing; the mugging of municipalities through accountability bills, report cards, performance measures and the like; and further abandonment and/or handing off of historic provincial responsibilities without providing the necessary resources and financial tools to do the job.

Liberals—those on this side of the House—understand the importance of moving away from the short-sightedness of this government. We know—don't we, Caroline?—that cities play a role as the primary social and cultural engines of our province and country, and we're prepared to ask the tough question: what about the cities and towns of Ontario in the context of everything we undertake? Most of all, Liberals have enough common sense to know that a provincial government simply can't offload provincial responsibilities without providing the secure and predictable financial and revenue tools needed to ensure that our cities and towns can survive and thrive.

Today I want to spend some time exploring the historical perspective, move on through some analysis of the last seven years of this government as it relates to the relationship with municipalities, and talk a little bit about trust, respect, downloading, partnership, consultation, amalgamation and the like.

It's been said that we campaign in poetry and govern in prose. There's a lot of prose in this legislation but unfortunately not very much poetry.

We often preface legislation with some definitions of terms, and we've heard much about trust, respect and consultation. I spent a little bit of time over the weekend going to my Canadian Oxford Dictionary. Just for the record, and for those watching who have been impacted by this government's municipal strategy, I want to share with this House how Oxford defines "trust," "respect" and "consultation." "Trust" is faith or confidence in the loyalty, veracity, honour, reliability and strength of another. Also, it's the confident expectation of a person upon whom one relies. "Respect" is defined as the deferential esteem felt or shown toward another and the attention and consideration of their views. Interestingly, it also refers to an avoidance of interfering with, harming, degrading, insulting or injuring another and to treating that other with consideration. "Consultation" is defined

as seeking information and advice and taking it into account in decision-making. We all saw that with this government in the Who Does What process, where you purchased the very best advice you could before you completely ignored it.

Forgive me for being somewhat skeptical, even a little cynical, given some of the experiences we've had in our area of the world. By the way, for the record, I want to say to those who are tuned in today and concerned about this that we on this side of the House don't measure success by the number of municipalities you do in and the fewer municipal leaders you have, as if there is some mythical excess of democracy that only members on that side of the House understand has to be eradicated.

I come from a recent experience—a more distant one, having served on Hamilton city council as the youngest alderman back in my 20s—as the mayor of that great town of Flamborough, the only municipality that actually lowered taxes six years in a row. Our reward was to experience the trust and respect of this provincial government. Like Toni Skarica, my esteemed predecessor, I used to be an incurable optimist, but now I'm cured. In fact, there was so little trust and respect that ultimately our citizens in a by-election moved from deference to defiance, and stood up and turned around a huge Tory plurality and sent a new member to the House. I think what they were saying in essence to the then minister, Tony Clement, was, "You're the weakest link. Good-bye."

**1600**

They ignored our pleas, and instead of listening, we saw the wrecking-ball politics of Dudley Do-Wrong, the Dudley Do-Wrong of Ontario politics, the perfect Tory, who believes misinformation enjoys the same utility as information, and that truth in history can be simply manufactured at whim.

I want to just share a little bit about what's happened in Hamilton-Wentworth, the threefold promise out of this trust, respect and consultation that we were speaking about. You'll remember, Mr Speaker, the threefold promise. We were going to get streamlined, more efficient, effective government. We were going to have better services—not just the same services but better services—and we were going to have both of those at lower cost, lower taxes.

What's happened today? We've got more staff employed in the new city of Hamilton than the six constituent municipalities had in place. Government is discernibly far less accountable and certainly far less accessible. We've seen the offloading, which was the real rationale behind this stuff. We've seen, this year, a \$32-million shortfall in the so-called revenue-neutral downloading. We're still some \$35 million short on the business education tax, which Minister Eves, when he was here overseeing the treasury, promised would be moved to a provincial average, you'll recall.

There's been some 80-million-odd dollars in road and road maintenance work downloaded. The transition costs have been six times what they were estimated by the so-called experts that were sent in to review things.

In a more parochial framework, cutting grass in my former municipalities used to cost about \$850 a hectare. It is now up to \$2,800 a hectare. Break-ins in our previously owned municipal facilities in the last year have been more plentiful, more numerous, than in the last quarter-century. Why? Because a lot of the natural ownership of those strong parks and recreation and volunteer groups has disintegrated. We used to be paid by people to come and pick up our garbage. Now it costs us money. And of course there's now a major battle going on between the full-time firefighters and the part-time professionals who have, for so many years, so capably protected the lives and property of our residents, our good citizens.

So there have been a number of problems, a real mess left. Fortunately there are a lot of good people there who are prepared to walk through the mess, through the ashes, and to do what they can to make things better. We'll certainly survive, but one is left every day with the pressing question, "At what cost?"

I want to share publicly what I've shared both publicly and privately with the minister in this House, and that's simply this: it would be absolutely no skin off the nose of this government and this Legislative Assembly if this government were to amend the direct democracy legislation to allow the citizens who were forcibly amalgamated before they saw the light and said it wouldn't happen any more to decide for themselves whether the threefold promise has been kept. I want to say that, because that needs to happen.

The constant reference is to, "Well, we only did what you wanted. You asked us to come in and appoint a commissioner." I think the trick was to find someone in some municipality—in Victoria county it was somebody in a municipality called Emily. I guess Emily asked for a commissioner, so the other 16 municipalities were stuck with it. A wink is like a nod to a blind horse. Anyhow, we've all seen the tragic consequences of what's gone on.

The 1995 election of the Harris Tories has certainly proven to be bad news for Ontario municipalities. During the last seven years, the natural respect for municipal government historically expressed by various provincial governments has, tragically, been replaced with an attitude of contempt for municipal leaders and the communities they were elected to serve. As a result, neighbourhoods all across Ontario are suffering right now because of misguided Tory policies. Municipalities, when thought of at all, were an afterthought with this government.

It's clear to any student of municipal government that when the history of the Harris era is written, the Common Sense Revolution, which spoke to the Harris government's desire to reshape Ontario, became a declaration of war on our cities and towns. The evidence? Believing service realignment to be the order to the day, this government gathered the best advice they could in the Who Does What process, as I previously mentioned, and then ignored it. They then proceeded to offload historic

provincial responsibilities on the backs of municipalities across Ontario and add further insult to injury by pledging that any exchange of responsibilities would be revenue-neutral. Clearly it wasn't, with evidence suggesting a shortfall of at least \$750 million. That, frankly, is why this government has not responded to the several invitations to have the Provincial Auditor come in and do an independent assessment of that. If their numbers were good, you would think they wouldn't fear that. In fact, you'd think they'd invite that—but no. I suspect that in their heart of hearts they know that just isn't going to cut it.

On those rare occasions when they seem to get their policies right, the Harris government developed the very bad habit of implementing those policies in the worst possible way, usually without proper consultation or planning. When things went wrong, as they invariably did, the government response was simple: blame the victim. Their game plan? When in doubt, point fingers, not direction. We saw it in Walkerton. Remember? The problems were the mayor's fault. First they were the NDP's fault and then they were the mayor's fault and the staff's fault and yada, yada, yada. Health care is Allan Rock's fault. When we fought amalgamation, it was all the mayor of Flamborough's fault. You notice it's everybody's fault but theirs. This no-fault insurance they've got is wonderful.

In the brief year and a bit I've been here, I've never heard a cabinet minister get up and say, "My mom told me to fess up when we mess up, and I want to fess up today. We made a mistake. Gosh, golly, gee, it isn't going to happen again. You can bet your bottom dollar that after we apologize to the people of Walkerton for what happened, for whatever role we may have played, we're going to bring in the toughest regulations and we're going to rehire all the inspectors, because when we mess up, we fess up." We haven't heard any of that.

Today the bridges of communication, so essential to good government, have been blown apart. This government has created a chasm between Queen's Park and city and town halls by consistently turning a blind eye to the problems they themselves have created. Nothing shows the Tories' contempt for bridging the gap so well as the transition funding they provided to restructured municipalities. In a stunning display of arrogance, they came to refer this as bridge financing. But get this: they would estimate what was needed and then provide only half of it. This begs the question: what good is half a bridge? A bridge that doesn't go all the way is little more than a diving board.

Enough. It's more important to light some candles of hope to point direction than curse the darkness. That's precisely what Ontario Liberals purport to want to do. The Ontario Liberal Party believes that municipal government is important. We know that strong, healthy, prosperous local communities are best facilitated when there is a strong, healthy partnership between Ontario and its municipalities. Ontario Liberals are bridge-builders. Our vision is one of working with, rather than against,



Ontario municipalities. As Liberals, we are prepared to listen hard and long, and to solicit whatever input is necessary to more fully understand and nurture the process of community building.

Liberals are not just tolerant but radically inclusive when it comes to consultation with mayors and councils, municipal groups and other identifiable stakeholders.

**1610**

I want to divert for a minute just to talk about consultation, because the litmus test until recently was, would a consultative framework be put in place to guarantee that there would be a period of time when municipalities in the province would sit down together and discuss prior to handing over, uploading or downloading, responsibilities? I think this government does consult, and I want to give the minister some credit for some of the work he's done, but the difficulty, frankly, is that this government doesn't always consult with a broad enough range of people. I want to say this to potential leadership aspirants on the other side: if there's one thing that this government needs to do better, it's to consult with more than the 3% or 4% of the Ontario population that they're used to consulting with. They need to sit down around tables and actually work it through. They need to go to AMO conferences and ROMA conferences and OSUM conferences and actually stay for the conference, sit at the table and listen to municipal leaders, not just make their fuzzy speeches and then move on.

Today, all across Ontario, our major urban centres are in crisis. Unlike the Tories, Liberals are not interested in any further fiscal abandonment of our cities and towns. We believe special efforts must be taken to kindle and even reclaim historic partnership relationships that once existed between levels of government. Liberals understand that certain major issues and concerns, like public transit, social housing, social assistance, and even emerging health care issues—ambulance, home care, long-term care, community-based hospital funding, what have you—will only be resolved by working together.

I want to just divert for a moment to the frequent references to health care funding. I had the privilege of working as a staff person back in the days when we had that debate some quarter of a century ago about how funding for health care would be handled. I can tell you, the federal government of the day offered the provincial government cash payments to assist with health care, and the provincial government of the day said, "No way. You're not going to fool us that cash-on-the-barrelhead stuff. We don't want cash, we want tax points." And you know what? Tax points was what we got in this province. I know some members opposite like to talk about only so many cents per dollar, but they leave out the tax point part, which is so critical.

I find that ironic in the context of partnership, because I think what we need more than anything else in this province today is leadership from the government side that says to—and they're not perfect; I don't want to pretend collectively that our federal cousins in Ottawa are perfect. But when the national Minister of Health

says, "We want to expand the health care basket," and when he says, "Home care, long-term care, pharmacare and certain aspects of primary care reform weren't part of that original arrangement, and we'd like to put some standards in place so that we can all move forward as things change and in response to the changing demographics," we on this side of the House believe you can't walk away from the table. You can't get up and take your ball and go home and say, "No, we're not going to buy into national standards." We need to be looking at that. I want to say to members opposite and, again, to potential leadership aspirants over there—I know there are many—that we should be agreeing in advance today to whatever reasonable standards the other level of government wants to put in place, not just out of some sort of political will to do that but because our people, real people, are hurting out there, and we can best help them by coming to the table and making sure that health care basket is expanded. I offer that up, for what it's worth.

Early in this year, shortly after I was appointed municipal affairs critic for the party, a position I was honoured to accept when it was offered, we launched, on behalf of the Ontario Liberals, our province-wide Let's Build a Bridge tour. Working closely with several of my provincial colleagues, key municipal leaders and stakeholders with whom we had been networking, our goal was simple: to listen to key municipal leaders throughout the province and to try to take their concerns and their hopes and their dreams and see that translated into public policy.

Throughout the tour and the ensuing months, we had the opportunity to visit some 23 municipalities across Ontario and speak to literally hundreds of key municipal leaders. I think I had consultations with at least 600 municipal leaders across the province. In addition, valuable contacts were made and ideas generated from attendance at the ROMA conference, OSUM, the AMO conference and select meetings with OPAC, the Ontario association of municipal clerks and treasurers and other key stakeholders. We did our homework. We listened. In fact, we billed our tour as a listening tour rather than a speaking tour, because we wanted to hear from real people about the real issues that were impacting them.

Predictably, the issues varied from municipality to municipality. There was much discussion and widespread consensus that the province has failed to adequately consult municipalities on major policy changes. That didn't come as a surprise, but it was helpful to have that affirmed.

As well, virtually every municipality told their own horror story as to the impact of provincial downloading. There was an overwhelming sense that municipalities had been literally abandoned—their words—and that new challenges were being foisted on to local communities without the tools or resources needed to respond.

Every single community spoke of difficulties coping with the downloading of roads, bridges, social assistance, social housing, ambulance transfers and certain new health care costs.

The municipal leaders we spoke with pleaded for a new provincial-municipal relationship predicated on trust, respect and consultation.

As an aside, it may be worth noting that the Association of Municipalities conducted, in a parallel time frame to our political tour—my political tour—a review of the provincial-municipal relationship. AMO highlighted the following, and this is not my study; this is AMO's study.

Some 65% of municipalities in the survey believed the province wants to exercise more, rather than less, control over municipal affairs. Most find the province's new performance measures far too intrusive. In fact, there's a real fear that they're going to be used as a club rather than a tool.

The most important provincial-municipal issues were, by order of importance, the lack of funding, municipal restructuring and its negative impacts, the downloading of services and the micromanagement of municipalities by the province.

An astounding 74% of those surveyed felt the province's dealings with municipalities were unsatisfactory, and some 78% believed that in relation to municipal issues, the province was "on the wrong track." Can you imagine that: municipal leaders actually saying—78% of them—they're on the wrong track?

1620

In terms of how the provincial-municipal relationship could best be improved, the opinions expressed generally included the following:

Stop the downloading. Anything about stopping the downloading in the proposed new Municipal Act? No.

Work with municipal governments, enabling rather than disabling them. You notice all the frequent references to regulations throughout this? In fact, members of this House won't even have a chance to examine and debate the majority of the bill before it becomes law.

Listen to and communicate better. Well, I give the current minister a few marks for that. I think he's trying. I think he really is trying to listen. He has a great distance to go, and he has in many respects a quite Neanderthal set of colleagues to have to convince over there, so I can appreciate that.

Heed municipal advice and invest more time and consultation to ensure proper planning for change. After referencing several years of consultation, we now read and are told that this consultation that was to be the litmus test isn't going to be part of or buried in the legislation; there's going to be some yet-to-be-determined memorandum of understanding. That causes us some concern.

There was frequent reference to the need for a new Municipal Act. I can certainly understand that. As one who had the privilege of going through the public education system in Ontario and eventually finding my way, I don't know how, into university, as a mature student, by the way, and studying some political science there, the debate with respect to the Municipal Act had always, until this government came to power, been a relatively academic one. You know, the cocktail party

stuff: "Gosh, golly, gee, isn't it awful; 81% of our people live in the 10 largest urban regions of the province, and they don't have any constitutional role. It's shameful." Right?

Most municipal leaders, hearing that kind of talk, heard it and simply moved on. They did their jobs every single day, and they did their jobs well. It only became a problem, I say with respect, with the arrival of this government and their quite draconian policies around downloading, offloading, not listening, lack of consultation and certainly the forced amalgamation followed by the inadequacy of transition funding. In fact, their so-called experts in Hamilton-Wentworth, you may recall, Mr Speaker, because you have the privilege of representing some fine people down there in Hamilton West, and are doing it quite well, by the way—the folks down in Hamilton-Wentworth were quite frankly aghast at the transition costs in fact turning out to be six times what the so-called experts—independent experts who were going to bring that objective, non-partisan analysis to the situation. Anyhow, those are some concerns.

In the 10 and a half minutes or so I still have left, I want to share a little bit specifically about some of the things we heard on our tour. As I mentioned, we toured through some 23 communities. There were some generic things we heard. We heard representatives in Ottawa talk about how they were short-changed and about how one of the former ministers had actually sworn an affidavit that they had been promised at least 75% of the estimated transition funds. It turned out to be 50% in the end, but what's 25% between friends?

Everyone talked about the need for some consideration of new taxing powers. The looming chaos in social housing was described. In fact, the mayor of Cambridge said to us that for the first time in his city's history homelessness was actually a problem, and he attributed some of that directly to government policies.

Other municipalities said the whole SuperBuild thing was one giant game of Russian roulette, and the only way you could really guarantee you'd get your SuperBuild funding for that important infrastructure project was to hire some backroom Tory who had close connections. I guess they call that consultation.

School closures were an issue in many communities, including our own.

Haldimand-Norfolk was an interesting trip. Most of the people we spoke to there said they were getting the worst of both worlds. There used to be six municipalities, and they were combined into one and then they were divvied back up into two. So those who thought regional government was working were ticked off because there were now two, and those who wanted the six were ticked off because there were two. The common thing was that taxes went up in both new communities and the ambulance service and some other things that were working well fell apart.

In Hamilton-Wentworth I've already spoken about the threefold promise, the difficulty with transitional funding, a lot of concern about the report cards, and an



interesting suggestion that report cards perhaps ought to be merged with support cards, that it's easy to sit and point fingers and critique and talk about accountability. This government talks a great line about accountability, this government that, arguably, has been less accountable than many before it. The suggestion was that this government could partner, but partner mostly in the context of taking care of their friends.

The doctor shortage was an issue everywhere. Somebody suggested another helpful piece of advice, by the way, that you do what Australia has done, where they go into rural communities. I was at a conference on rural family health about six weeks ago. It happens to be a passion of mine. There was a resource person there from Australia who said, "They go into the high schools and do aptitude tests. They spot young people who have the aptitude and the interest in medicine and then they mentor them through high school. They provide special assistance for them. They recruit from the very communities where there's a potential doctor shortfall." Do you know what? There's not a doctor shortfall problem in Australia. Why? Because they're trying some outside-of-the-box thinking.

Policing was a concern; offloading of roads and bridges and the lack of funding assistance there; our liquid assets, the water infrastructure, a very noticeable problem and some real concern from municipalities doing a good job about now having to jump through a whole new set of hoops without any funding assistance from the province.

In Timmins we had not only the concern about the brain drain but all the concern about the train drain, with the train being cut out up there and its impact on economic development.

We've had a lot of concerns about the tension between full-time and part-time firefighters, worries about funding and ambulances, but overall there's an amazing and a profound sense of fear among municipal leaders even to speak up and say, "This is what's concerning us," a fear that that would somehow severely hurt their efforts.

Today we've got a new act before us, and after several false starts, I understand some 21 legal drafts and some 300-plus consultations later it's here, but you know what? It's no municipal Magna Carta; I can tell you that. By the way, we're getting all kinds of comments beginning to pour in from municipalities, now that they see it. Some are saying, predictably—and I understand this and I want to compliment the minister for this—that it's like cleaning out the garage. You put it off and put it off and you know it needs to be done. You spend two full days doing it and you've got to burn your stinky clothes, and when it's all done, your spouse says, "Oh, that looks nice, honey." That's it. You were expecting a little bit more than that—right?—a little more affirmation, but that's it, and you think, "I just spent two days doing that."

It's no municipal Magna Carta. It doesn't deal with downloading. It doesn't deal with any kind of end to the arbitrariness of forced amalgamation. It doesn't even,

after all this time, deal adequately with the issue of consultation, although there's been some progress made. At least there's an undertaking that there will be an undertaking, a statement of principle on that.

Ontario municipalities were seeking a modernized act, one that would provide some form of official recognition. Other provinces are doing a little bit more in this area but we'll come to that in a moment. They wanted a legislated guarantee about the government notifying and consulting with them before taking actions which directly affected their municipalities. I can say that while some progress has been made, at the moment word is coming back from all across Ontario that this act simply isn't good enough. It's just not good enough.

There were a few aspects of the bill that did tickle our fancy over here: the recognition of Sandra Pupatello's rave bill, 2000, which proposes that municipalities be required to issue a permit before a rave. That was incorporated. Michael Bryant's and Dave Levac's Bill 104, restricting fortifications on buildings, was seen as helpful. My good colleague Rick Bartolucci's Bill 24, which would allow for the licensing and regulation of adult entertainment parlours by municipalities—Bill 111 does extend certain powers in that area.

**1630**

That said, Ontario Liberals, to be sure, have a broader and far more progressive vision of how Ontario municipalities can be assisted in their primary task of building stronger, healthier, more prosperous local communities. In this context, we recognize the new Municipal Act for what it is: little more than a starting point. It is in no way reflective of the important changes that need to occur in order to foster a true new partnership predicated on mutual respect and trust.

On the negative side, this bill fails to spell out those regulations that I referenced. We won't have a chance to debate that.

There are limits on the fees that municipalities can charge. I know that municipalities were looking for a little more flexibility there.

It requires municipalities to trust that this memorandum of understanding will somehow benefit them. We've had lots of processes supposedly with a memorandum of understanding that haven't worked out very well.

It offers no real new powers or tools to raise revenues. It continues to go heavy on the issue of municipal accountability and micromanagement.

It provides no immediate change to ensure the forced end of amalgamations or any guarantee that restructuring decisions will be consistent with the wishes of the community.

It raises questions about the validity of certain locally inspired environmental initiatives, which the Supreme Court has recently ruled on in Quebec. This legislation clouds that.

It fails to prohibit provincial downloading without the provision of necessary resources to handle that change.

All of that having been said, I believe you can't come to the table unless you've got something to say, and we

Liberals do have something, in the last few moments I have, to say.

We would have explored the development of a community charter to ensure that local decisions be made locally. It would have been based on principles of respect and trust and on the desire to affirm communities and their local governments. Self-reliance, greater autonomy, enhanced independence and the provision of broadened powers would have been the tools that we used.

We would have written a reference to consultation directly into the act: that so-called memorandum of understanding.

We would have provided meaningful substance to a new relationship predicated on trust and respect and mutual accountability.

We would have prohibited any arbitrary downloading or off-loading of responsibilities before the way of financing those responsibilities had been calculated and put in place.

We would have prohibited outright the forced amalgamation of any community within the province of Ontario, and in any municipal merger by law we would have looked at the wisdom of requiring the assent of the governed before that happened.

Finally, we would have done what I've suggested to the minister, that the direct democracy legislation should have been amended.

We believe in a tradition of strong local government. We know it's an important part of our democratic Canadian experience. We offer those insights and that wisdom today and we look forward to moving forward with this debate. But suffice it to say that we won't be supporting this legislation unless there are significant changes to it.

**The Deputy Speaker:** On the same leadoff debate, the Chair recognizes the member for Essex.

**Mr Bruce Crozier (Essex):** I look forward to an opportunity to speak to Bill 111. I spent eight years on municipal, local government: three years as councillor and five years as mayor of my birthplace and my hometown and the municipality in which I still reside. Over those eight years, I had the opportunity on numerous occasions to discuss issues that involve all our municipalities, particularly in the southwest. I would have thought, considering that the Minister of Municipal Affairs and Housing is an ex-municipal politician himself, that he would have been more sensitive to the overall needs of our municipalities.

This bill, for the information of the folks at home, is a 320-page bill. It's unlikely, in the amount of time the government will give us to debate it, that we will be able to cover all the areas of it. So I'd like, in my few minutes, to make some general comments, not the least of which, I should note, just for my own interest, is that the bill is named An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities, and the short title of the bill is the Municipal Act, 2001. We've seen some pretty creative titles in this Legislature. If there's anything I'm going to compliment the minister

on, it's finally coming in with a bill named for what it really is and not what it isn't.

We have been told that this is just a first step, and the problem and fear I have with first steps is that we may complacently believe this is all that has to be done, that it isn't just a first step but the final step. This government and others in the past have promised amendments to the Municipal Act. This government promised a new Municipal Act some six years ago. I'm afraid that this first step, six years into their period of governing, will be treated by the government as the last step.

Unfortunately, I kind of look at this and some parts of this piece of legislation as though you've been congratulated on being responsible enough to get your driver's licence but your parents won't let you have the car. It's very nice for them to say, "Municipalities, you have to be recognized for what you are, you have to be recognized for being responsible, but we're not quite going to give you everything that's needed to effectively and accountably administer your municipalities."

Being an ex-municipal councillor, I sat through six years of this government when they more or less berated municipal councils as not knowing how to spend their money, not being able to even send out assessment notices without this government having dictated to them what the wording should be. I felt all along that most, if not all, municipal governments in this province are far more accountable, far more responsible than many of the provincial governments we've had, including this one.

For example, municipal governments have always had to have balanced budgets; in other words, at least in my experience, we always had to have a plan for how we were going to pay for what we were going to do, be it through debentures, which were planned paybacks, or through accumulating surplus funds in order to pay for the things we wanted to do. Yet this government, in the beginning of its mandate, ran up \$20 billion in added debt in this province, while at the same time giving away the farm, giving away tax breaks. To me, that was totally irresponsible, compared to municipalities.

I've never agreed with this government when it came down on municipal governments, having to tell them what to do, having to tell them they weren't responsible enough to carry out their obligations. Yet now, as part of this act, they want to tell municipal governments, "You are responsible, and we're going to help you do your job," but they are not giving them everything they need to do the job.

1640

I want to say, as my colleague has mentioned briefly, that we are pleased that three of our private members' bills are more or less incorporated in this legislation. Sandra Pupatello had a rave bill in 2000. Now municipalities will be required to issue permits before a rave occurs and will have the ability to license and regulate raves. Michael Bryant and Dave Levac, two of my colleagues, wanted in their private members' bills to restrict and regulate the use of fortifications in buildings, and Bill 111 grants these powers. And of course Rick



Bartolucci's bill, which would have allowed for the licensing and regulation of adult entertainment parlours, is also included in this legislation, and I congratulate the minister for doing so.

There are some things, though, that bother me. One is that there's a promise in this legislation that the memorandum of understanding that commits the province to consult with municipalities before making policy changes wasn't included in the bill. It's kind of like, "I'll make a promise to you, but I won't put the promise in writing. Therefore, if a time comes that I choose not to keep my commitment, I'll probably have some wiggle room to get out of it." It will only be after this bill is passed that this memorandum of understanding, whatever it might be, is going to be carried out. If I were a municipality, I'd be a bit concerned about that.

Of course, as with almost all legislation, the devil is in the detail, and there are going to be regulations that we aren't even going to have an opportunity to see, which will be introduced and enacted later merely at the whim of the minister and won't be debated in the Legislature. That concerns me as well.

The last point I'd like to touch on, in the few minutes I have, is the question of amalgamation. There is nothing in this legislation that prevents the forced amalgamations we've seen over the last few years. I can tell you there are a number of people in my riding, in more than one municipality, who have asked me to research and get information for them as to how they might de-amalgamate, because what we're finding is that it doesn't cost less money. In fact, in many instances it costs more. The people of those municipalities—the constituents, the taxpayers—albeit it was done through their elected representatives, weren't asked how they felt, and many of them are not happy with it any more.

Over the course of second reading debate and eventually third reading, I hope we have the opportunity to discuss many more parts of this bill.

**Mr Mike Colle (Eglinton-Lawrence):** I follow my colleague from Leamington. As you know, it's the communities, the villages, the small towns and the cities that make this such a strong province—that's where we get our strength—places like Leamington, Aldershot, Flamborough, Ancaster, Dundas and East York.

My colleague the former mayor of Leamington mentioned the tax bill. Under this act, it's amazing that the tax bill is still prescribed by Queen's Park. Here's a municipal tax bill, paid for by the citizens, the taxpayers and ratepayers, of all these communities through their elected representatives—the mayors—yet that tax form has a veto to the very wording in it by the Minister of Finance. It says in section 344:

"(1) The Minister of Finance may require that tax bills under section 343 be in a form approved by the Minister of Finance.

"(2) A municipality shall not vary the form unless the variation is expressly authorized by the Minister of Finance."

It's right down to the very letters and words. If this doesn't basically tell you all about this act, nothing else

does. They've sat down and consulted with the people in the business of municipal government and said, "We've got this cozy little housekeeping bill. Are you all on board?" And yes, they've all said yes because they're intimidated by this government. But the citizens, the ratepayers and the taxpayers of Ontario are not intimidated by this government.

That's who I'd like to speak to, because this Legislature may make people inside municipal government happy; I don't think it respects or makes the taxpayers happy, the citizens of communities across this province. It's so insulting that even the wording on a tax bill has to be prescribed by the Minister of Finance and then made even stronger than in previous legislation. Certainly, the bill has very low expectations and very little respect for individual communities and their rights.

If you look at another interesting part of this bill, I wonder if the average taxpayer in Leamington realizes that now, if you don't pay certain municipal fees, there will be a lien on your property. You won't be able to have your property clear and free because the Minister of Finance and the Minister of Municipal Affairs have now given the municipality the power to impose a lien if you don't pay your swimming pool fees, if you don't pay your parking fees, if you don't pay your dog catcher fees—new powers meaning that you'll have a lien on your property as a result of this legislation. I wonder if the average taxpayer in Ancaster knows that, that basically there's a new lien on your house or on your business because of these overbearing Ministers of Finance and Municipal Affairs. It's here in the act, and I think that's the type of thing the public should know about. I hope they have the time to find out about it and comment on whether they like the fact that if they don't pay a fee at the library or a fee in terms of some lane repair in their community, they will have a lien on their property. It will be great when they try to sell their home and they find out they can't, that it's not free and clear because they didn't pay that fee that the municipality has now imposed.

Another interesting thing in this bill is that it is now basically admitting that the so-called promised reorganization of municipalities was a huge mistake, that they have now said in this bill that all those regions that this government said they were going to amalgamate—certainly the 905 rim around Toronto—they've backed away from that because that mega-merger mania stuff has proved to be an utter failure. If you talk to people in Victoria community, you talk to people in Dundas, they don't want forced amalgamation.

So now the government, in order to protect its political base, has said, "Oh, 905? We don't need it any more." The people in the 905 are no different from the people throughout Ontario. They want to determine their own boundaries and their own municipal makeup. They don't want somebody at Queen's Park telling them how to run their small communities.

So the government doesn't even mention amalgamation any more. Do you notice? It never crosses anybody's

lips. For years, we saw six Ministers of Municipal Affairs here climb up and down. Do you want to solve any problem in small-town Ontario? Amalgamate them. It's good for you. You've got a problem with taxes, you've got a problem with services? Amalgamation.

Look at the size of these mega-cities they've created, with mega-bureaucracies where they pay transition bodies. In Victoria county the consultants have gotten rich in trying to take a very good, working set of communities like Fenelon Falls, Fenelon township and Bobcaygeon—they said, “No, you've got to be a megacity.” “Kawartha Mistakes,” they call it there.

They don't want government that's big and arbitrary. That is an admission in this bill that that has been a colossal failure. You'll never hear them mention it coming up to the election, because they realize people don't like it. If you were to try to amalgamate more communities in this province, you know that the sitting members, especially if they were Tories, would lose their seats. That's what happened in Ancaster, and they got the message loud and clear there that people don't like to be dictated to when it comes to municipal government. Municipal government talks about people at the local level who pay huge taxes. All they want back is a say. They want some respect and they want self-determination.

1650

This bill, by the way, also does nothing to curtail the immense powers of the Ontario Municipal Board. This government has given so many extraordinary powers to these appointed, unelected, unaccountable members of the Ontario Municipal Board. Nobody in this province even knows who they are. This municipal board is running roughshod over communities all across the province, where you have these very well paid lawyers and consultants who are beating up on small communities and small ratepayer groups at will, because this government has given the OMB the proxy to be the de facto planning arm in the province of Ontario. You can't beat the OMB because the OMB works on how much money you can pay consultants and lawyers.

This act fails to control the abusive, extraordinary powers of a board that has gone way beyond its original mandate. It is undemocratic, unelected. It is not touched in this act. Therefore, the local citizen-taxpayer doesn't even have the right to decide what kind of building or planning takes place in their neighbourhood. The local council doesn't even have the power because this government has now enabled the developers to bypass council and go right to the OMB, where they always get rubber-stamped.

We were in Richmond Hill with 2,000 people. The developer didn't even show up. The developer sent a note saying, “I'm going to the OMB.” The 2,000 ratepayers in Richmond Hill were saying, “What do you mean, we can't speak on this proposed subdivision?” “No, you can't, because the OMB will decide.”

In my own community in north Toronto, my own ratepayers and tenants' associations spent \$150,000 trying to

stop the demolition of affordable housing. They worked for two years. They volunteered their time. They did everything. Who decided whether these great, affordable buildings in north Toronto would be demolished or not? It wasn't the council. It wasn't the ratepayers. It was the OMB that said, “Bulldoze them,” and no appeal. Well, you can appeal through the courts; then you blow another half a million dollars. Who can afford being a ratepayer in small-town or big-town Ontario? This government has put too much power in unelected bodies like the Ontario Municipal Board.

What we also need is to give municipalities the ability to do what they're supposed to do: provide services. This tries to give more power in terms of regulating body rub parlours etc. The problem is not in law-making. The problem is the municipalities don't have any more health inspectors because of the downloading costs. They can't hire enough policemen, they can't hire enough fire inspectors to go to the body rub parlours or to the crack houses because the police, the fire inspectors, the health inspectors, and the building inspectors have all been cut back because of the downloading this government has done for six straight years.

Now, with half measures like Bill 111, it's trying to pretend they didn't beat up on the local taxpayers for six years. They're trying to pretend they didn't force amalgamations. They're trying to pretend they didn't cut municipal public health. Now they're saying, “You're not smart.” But I think the people of Leamington, Ancaster, Carlisle, East York and north Toronto are much smarter than the spin doctors who have never paid property taxes, who don't know what it is to pay a mortgage, who don't know what it is to raise a family. Those freckle-faced spin doctors will get a rude awakening in the months to come as people begin to remember and recall what this government has done to them.

**The Deputy Speaker:** Now up to four members have up to two minutes each to make comments or ask questions.

**Mr Michael Prue (Beaches-East York):** I listened with some interest to the previous speakers. I don't know whether I belong to the Society for Appreciating Neanderthals, but Neanderthals were a very gentle people. The fact that there is none here today attests to their gentleness. They were obviously wiped out by Cro-Magnon, who was far more aggressive. I don't know whether the description of the members opposite goes to gentle people, but they could be those who are wiped out. I'm not sure.

Anyway, the speakers also spoke about the starting point. I would have to agree with them that this is a starting point and should only be seen as a starting point. The legislation is here to get rid of 1,100 pages and substitute them with 350. I would think that is, in itself, a very laudable goal, and it seems to have succeeded as far as that goes.

The speakers also talked about amalgamation and de-amalgamation, which is not found within the four corners of this legislation but, with respect, it is an issue that is



very much on the minds of the men and women of this province, those who live in small communities, those who have seen the number of municipalities go from 800-plus down to 447 today—which, although in a hiatus, appears to be also something which still inspires fear.

Last but not least, I listened to the previous speakers. They spoke very well about the need, when you change legislation, when you change powers and duties, to do two things: number one is to make sure there are sufficient monies to carry that out, but more important, to make sure there are sufficient workers who have the wherewithal, the training and, where you don't have those, especially in small towns, that you make use of the very real volunteer commitment that people have in those communities.

**Hon Brad Clark (Minister of Transportation):** The member from Ancaster-Dundas-Flamborough-Aldershot has a propensity in this House for using the Oxford dictionary in providing us with different definitions, different words. I would encourage the member to look up in the Oxford dictionary a couple of other words: "vacillating," "oscillating," "duplicitous" and "Machiavellian," because in my community those are words that my constituents have been using to describe the latest floating balloon of Liberal policy about amalgamation.

Would you believe that what they are now proposing to do is hold a referendum in the community of Ancaster-Dundas-Flamborough-Aldershot and allow them the opportunity to decide to leave the great city of Hamilton? What they're doing is, they're saying that the referendum criteria will be settled later on. What they're not telling these residents who are buying into this faint-hope scheme by the honourable member is that the entire new city of Hamilton would be a part of that vote. As a matter of fact, the member for Hamilton East says he doesn't even have a concern about this referendum because clearly the people in Hamilton will be voting for amalgamation, so it'll never happen. So you have the member from Hamilton East stating that the member from Ancaster-Dundas-Flamborough-Aldershot is holding out faint hope, false hope, to the people in his own community.

I'm shocked. I can't believe that the member from Hamilton East blew the whistle on the new member, the honourable member filled with integrity and principle for his community. When are they going to provide the criteria? When are they going to tell people exactly what they're proposing? What they're doing is playing a sly little weasel game here with words to encourage the member from Ancaster-Dundas-Flamborough-Aldershot and his community to continue the fight for amalgamation. It's over. We're now building a new city that will prosper without his help.

**Mr Caplan:** I want to congratulate the member from Eglinton-Lawrence, the member from Essex and certainly the member from Ancaster-Dundas-Flamborough-Aldershot for their comments.

I'd like to pick up a little bit on where the member from Eglinton-Lawrence left off when he talked about

the Ontario Municipal Board and how this body has assumed authority over and above municipalities to override their decisions—override the decisions of local businesses, override the decisions of local ratepayers, hard-working Ontario families—and how they are unelected, unappointed, and only passing reference to the Ontario Municipal Board is made in the new Municipal Act. In fact, instead of giving cities and towns and municipalities real authority, a real ability to be masters of their own destinies, we have this overarching, overreaching, over-ambitious board seeing to the affairs of people in the province of Ontario. This was a real opportunity, a new Municipal Act, to redress that imbalance—

**Mr Colle:** To rein it in.

**Mr Caplan:** —to rein it in, as the member from Eglinton-Lawrence says. But, no, that opportunity was not taken.

All this bill does, frankly, is give a lot of hollow words about things that are happening.

*Interjections.*

**Mr Caplan:** I can hear the members opposite chirping. They may want to talk and defend this bill, and that is their right. But here in this chamber we should talk about what the new Municipal Act is and certainly what it isn't.

I would say, as I tried to end my comments last time, that Ontario's tenants have been badly done to, by municipalities and by this government, by not having the same kind of property tax equalization, and this bill could have addressed that very same problem.

1700

**Ms Churley:** I mentioned earlier when I responded to the Tories' speech on this that it's such a lost opportunity here, as has been pointed out by several of the Liberal members who spoke.

The Tories point out, and quite rightly so, that our NDP government did not bring in a new Municipal Act. It's true. It turned out to be not one of our priorities. We brought in a lot of other things: new labour laws, which this government gutted; employment equity, which this government gutted; and lots of progressive things that this government gutted. If they want to brag about that, so be it.

Here they have an opportunity. They brought in legislation that badly needed renewal. The reason why I think it's important that the government members listen to this is, it took from 1849 to the year 2001 for a government to finally bring in a new act. Who knows when another government down the road is actually going to open up this act again and make necessary changes? Cities have changed dramatically over the past few years, there are major responsibilities, and they're not being empowered in this bill to take on those responsibilities for their communities.

There is a lot of rhetoric here, but the reality is, if you want the city to prevent your landlord from tearing down affordable rental units, they can't do that. If you want your city, your municipality, to prevent the demolition of historic buildings on the corner, they still won't be able

to. They are still not given their charter rights, their needs to be able to serve their community. What a missed opportunity here. I urge the government to go back to the drawing board.

**The Deputy Speaker:** Any one of the original speakers during the leadoff debate may now take up to two minutes to respond.

**Mr McMeekin:** I want to say at the outset that it's important once in a while to clean out the garage, to sweep it out, to restructure, to reorganize and to have the spouse say, "Honey, that was a nice piece of work." In that regard, this piece of legislation sweeps out the garage, but sadly it doesn't do much to fix the leak in the roof or the cracked walls, the very foundation that's sadly crumbling as a result of years of cumulative neglect and abuse.

We on this side of the House, as much as we support garage cleaning, obviously think, as Ms Churley said, that there's a tremendous missed opportunity here, and we're going to need to see a heck of a lot more change to this act before members on this side of the House can support it. It's a first small step but, as my colleague from Essex said, small steps are the beginning of a journey, not the end.

I want to say in closing, because amalgamation has been so close to our heart, that I don't need any lessons from anyone on that side of the House about what's disingenuous or not, particularly when the honourable member from Stoney Creek—

**Interjection:** Robust member.

**Mr McMeekin:** The robust member—stood up in this very House and opposed, to his credit, the forced amalgamation of the six constituent municipalities.

By the way, when we form a government and pull together a referendum piece, we'll get advice from many parts of the community, but I doubt we'll be taking very much of it from the honourable member for Stoney Creek.

**The Deputy Speaker:** The floor is now open for further debate, and the Chair recognizes the member for Beaches-East York.

**Mr Prue:** I will be sharing some of my time, if there is indeed some left, with the member for Toronto-Danforth.

**Mr Caplan:** Take it all.

**Mr Prue:** I might take it all; I don't know. I might.

It is trite to say that the cities are our future. It is absolutely trite. Everyone knows that this is exactly historically what is happening to cities. At the turn of the century, 100 years ago, 50 years into this particular act, most people lived in small towns, on farms or made their living in the bush in Canada. That is no longer the case today. Increasingly, as time goes on, you will find more and more people living in cities, particularly in those parts, like the GTA, where the increase in population growth is really quite large. The reality is that we are becoming less and less a rural population and more and more a population based in the cities where the exploitation of the methods and the production is locally driven,

locally based and where we trade on a global basis with other cities and other city-states around the world.

Population growth in Ontario is largely centred in the GTA and it is fuelled by a couple of things: a little bit by natural methods, of people having babies, having children, but far more of an important factor is the population growth with new immigrants. In fact, this has accelerated remarkably since the 1950s and especially since the 1960s with the changes to the immigration legislation.

Over the weekend I tried to read as much of the Municipal Act as I could. I want to tell you that it is an improvement. I commend the minister, by taking a 1,100-page largely incomprehensible document and reducing it to some 350 pages, on doing something that should not have taken 150 years. I commend the minister as well for the improvement in section 2 where he describes, and I paraphrase, that the municipalities are responsible and accountable governments within their own jurisdiction.

Having said that, therein lies the nub of what is both good and bad about this legislation.

**Mr Frank Mazzilli (London-Fanshawe):** You have to get the hand movements from Rosario.

**Mr Prue:** The hand movements from Rosario will take a while.

**The Deputy Speaker:** Order. Take your seat, please, just for a moment. There are a couple of members on the government benches who have been continuously interrupting, often not even addressing the speaker on the floor in their heckling, and one of the members is not in his seat. I'm not going to mention their names now, but they know who they are. I'm going to ask them to refrain from doing so, please.

Sorry for the interruption. Please continue.

**Mr Prue:** Thank you very much, Mr Speaker.

Previous speakers have said, and it is absolutely true, that there is nothing in this bill that says anything about amalgamations—forced amalgamations, de-amalgamations, changes of municipalities. There is nothing in this bill as well that talks to downloading and what is happening in some of the municipalities that are forced, through no fault of their own, to take on works that they are incapable of doing because they do not have the long-range financial resources. There is nothing in this bill as well that talks about council makeup or membership or how to improve the interaction between the people we represent and the members of council who will represent them, largely on a first-name basis in many small towns, but really in a way much more local, much more personal than one has the time or the ability to do when one represents in this House.

I would like to go on and talk about some of the good things about the legislation and some of the things that need to be improved, and that's what I'm here to do, not to simply criticize the government, not to simply say that the bill is wrong, but to show areas where it is good and where it can be improved. That may be a novel politician from this side of the House, I don't know, but it's something I'm going to try anyway, for a little while.



The legislation talks about natural person power. It talks about giving municipalities natural person power. This has been talked about for a long time within the framework of municipalities and has never been done before. It talks as well about spheres of influence, those areas where the municipalities can take direct control, if you're in one of those 10 where you can do it, and where it isn't one of those 10, they are told, and they understand, that it's not really within their sphere of influence and they should leave it to other governments, be it the provincial government or the federal government.

1710

It talks about a memorandum of understanding, which is a good thing. It doesn't go far enough, but it's a good thing, and I'll get to that later. The memorandum of understanding for the first time will talk directly about what the municipalities can do, how the Ontario government sees them, how the minister will react with them and when and under what circumstances the minister may intervene. This legislation also talks very strongly about consultation. I think this is an absolutely important event. Real, meaningful consultation hitherto has not happened enough when dealing with local municipalities.

There are some caveats I have with all that. There is a broad ministerial regulation-making power that pervades this bill. You can read it in line after line. It prescribes the forms municipalities have to use when sending out taxes. It talks about how the minister can look at what a municipality is attempting to do and simply say it cannot be done. It is very broad and is absolutely no change from what currently exists. This needs to be changed. It needs to be narrowed in focus. Of course the minister and the government need to be able to control a municipality that does something contrary to law, and need to be able to do something perhaps to curtail excesses. But it is far too broad, and it needs to be narrowed so that things like how a tax bill gets sent out are not in the legislation.

There's the whole problem of consultation. As I said, it is to be commended that it's even in there. But there is a problem with consultation as well, in that the minister retains power by regulation. Even when there is consultation, if the minister doesn't like the force and effect or the direction of the consultation that's taking place, either individually with a municipality or through the Association of Municipalities of Ontario, the minister still has the clout of regulation. That needs to be circumscribed as well. That needs to be narrowed, so that the minister will only use it in exceptional circumstances.

The whole issue of the natural person, which is throughout the legislation, is a good thing. However, the reality is that it carves a very narrow, restricted jurisdiction, and limits imposed on such powers are given the same attributes as in the existing act. In reality, very little is changed. Even though the natural person provision is there, it does not change much from the existing policies and what the existing act says.

There are many things in the legislation that I think would cause municipal governments across the province to be worried and afraid. Municipal politicians have seen

amalgamations and reductions in their numbers. Often-times they have seen the difficulty in dealing with the government when there is no money. You guys have had pretty good times, but there has still been no money. I understand the reason there has been no money to municipalities. It's a conscious political decision not to give it to them. But the municipalities have seen very difficult economic times, and with that they have seen some real fights with Queen's Park.

One of the problems I see in the act includes the changing of wards. The City of Toronto Act, 1997, contains express prohibition from changing wards. This act says they now can change wards. I don't know how they can change wards when the City of Toronto Act says they cannot. It's my understanding, in listening to the minister, that that act will supersede the Municipal Act, as will the acts of Hamilton and Ottawa acts. Yet in here, if you belong to one of the new amalgamated cities, you cannot change your wards. That means you can't change the number of wards, the configuration or where the wards are. As an example, in Toronto, each of the wards is approximately half the size of a provincial constituency, and the boundaries are set by the legislation. That's where the wards are. If you live in Durham, the municipal wards do not have to follow the federal-provincial boundaries in any way. They can set up their own wards. So people in those municipalities would have rights by this legislation that do not exist for the 2.4 million people in the city of Toronto. Something needs to be done. I hope the minister, although he is not here, will look at that and see whether this is fair to the people who live in Ontario's largest city.

There is a second question in the legislation that I think we all have to ask. It's the provision that in Ontario most municipal politicians receive a salary and then a one third tax-free allowance. Many of them have been saying for a long time that they wish they could just have the salary and not the tax-free allowance to bump up their salary. The way the legislation has been written is very interesting. The municipal politicians are going to have to say they no longer wish the tax-free allowance, and they have to do that—I didn't write down the year, but I think it's within the next year or two. The difficulty with that is, if they say to the province and this House, "We don't want the tax-free allowance," the onus is on them to raise their salaries, and the optics of that to the public are very poor.

**Ms Churley:** They know about it.

**Mr Prue:** Yes. The optics are extremely poor. A municipal politician who no longer wants the tax-free allowance—I'll use the city of Toronto, which I'm most familiar with. City of Toronto politicians earn some \$65,000 a year, and one third of that is tax-free. By the time you calculate it, that works out to a salary around \$79,000 a year.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** It's more than you make.

**Mr Prue:** Absolutely. I took a slight decrease to come here, but I think it's worth it.

**Hon David Turnbull (Solicitor General):** I'll check with you in a year's time.

**Mr Prue:** Maybe. But the reality is, if you tell them, "OK, we're going to do away with that," and they're going to take home the same amount of money for themselves and their families, they'll have to have a salary of \$79,000. I can see the papers: "Municipal councillors raise salary by \$14,000." It's not going to happen. What is fair for people in this Legislature—we all earn a salary and we're taxed on it, and in the true spirit of this act, the same should be true for our municipal brethren, who, I want to assure the members in this House, work every bit as hard as the people here.

Another problem I see with the act is the municipal standards for matters of provincial significance and the penalties for not meeting those standards. This is enshrined in the act and is a bit of a strange one to me. The minister will set a standard for a wide-scale, provincially mandated program. If a municipality, for whatever reason, cannot live up to that standard—I don't know what the reasons might be, because I don't know what the standards are; none of us do at this point—the penalty for not meeting those standards is to have the money completely withdrawn. So if they only got three quarters of the way to the standard, the penalty in the law is quite clear: up to all of it can be withdrawn. The province can then step in to do the program, and the municipality would have to flounder, trying to find the money. Although this may not hurt some of the larger municipalities, I'm quite worried about how it would impact a small local community, where the loss of any provincial revenue would have a detrimental effect and would, for sure, entail tax increases.

I looked at section 457(a), and this is an interesting one too. All the bylaws of a municipality have to be either repealed or confirmed by the year 2006. Although it is some four years and a couple of months before that happens, that is a horrendous and huge workload for someone to have to do, literally to go through every single bylaw that's on the books. I believe there are some 15,000 in the city of Toronto alone. Some lawyer is going to have to sit down and go through every one of them and see which ones offend the provisions of this bill. At the end of that time, they're going to have to either repeal them or confirm them, and there is nothing in the act that says the municipal governments will be given any money whatsoever to pay someone to do what I think is a really heavy, hard job. In particular, I go back to small municipalities that may not have legal staff. They're going to have to go out and hire lawyers. They're going to have to ask for a complete review of their 500 or 1,000 bylaws that exist in small, rural communities, and there's nothing in the act that gives them any money to do that.

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That brings me to a few more problems that seem to have jumped out—at me, anyway—in the reading. One of them has to do with the licence fees, part IV of the act. Part IV says that the licence fees can only be issued or

taken under three circumstances: health and safety, nuisance control and consumer protection. If they do not fall within any of these three categories, it means, to my reading anyway, the licence fees cannot be charged.

Why I have a problem is that there is no definition of what is a consumer in this particular section. There is absolutely nothing that says "a consumer is," and this, I think, will cause some problems for licensing standards, particularly in larger cities. This will not protect others.

I ask the members opposite to think for a few minutes. Will this allow for licensing of someone who runs a hotdog cart who wants to put it outside a restaurant? I don't think so, because it is not a matter of health and safety, it's not a nuisance—although some people might think it is—and it's not consumer protection because the consumer is protected, being able to buy the cheaper hotdog outside the restaurant. Who it does not protect is the restaurateur, who pays full municipal taxes, full provincial taxes and all of the other expenses related to the running of a restaurant. The person who runs the little hotdog stand does not pay those things, so of course they are able to charge less for the same service. Any good business person would tell you that's the case.

The same thing would happen if someone were to sell ties outside a haberdashery. The same thing would happen if someone were to sell any goods or services in close proximity to a business that exists, that is licensed, and there is nothing in here that would allow those licence fees or the licensing for those fees to take into account the protection of the business community in our cities and perhaps in our towns as well. I haven't seen too many hotdog stands or little shops set up outside of the Toronto, Ottawa, Hamilton areas, but I would assume that they could. Our small businesses need to be protected, and the licence fees need to be better than they are.

There is also nothing in here that tests for competence of those licence fees. You simply have the licence fees, but the municipalities are not allowed to look for competence. If you're looking for cab drivers' licences, you cannot even test to see whether they have a licence to drive a car. You cannot see whether they have had motor infractions. There is nothing in there for tests for competence. At least as far as I can see it, I would think the government should include those two as a minimum: the protection of business and the test for competence in the licence fees, part IV.

Part V, municipal reorganization: I have a lot of problems with this particular part. The problems with this section of the act—and perhaps it's the most serious one of all—number one, there is nothing in here that prevents municipal reorganization. That means that any government, any minister can simply announce there's going to be a municipal reorganization.

I read in the Toronto Star a couple of weeks ago that the rumour is circulating again that the number of councillors in Toronto will be further reduced. It was once at 57, at the time of amalgamation. It's gone down to 44 and there is some talk now that it'll go down to 22.



I want to tell you, as a former municipal councillor from East York, as the mayor of East York and latterly for nearly four years as a councillor from the city of Toronto, it is a horrendously difficult job to do because the way you interact and deal with people, the constituency work you do as a city of Toronto councillor, is absolutely enormous. The average councillor in the city of Toronto has 55,000 people who will phone him or her on everything from libraries to potholes to noise complaints to parking to barking dogs to poop-and-scoop bylaws. You name it; they're going to be there. The number of calls you receive as a municipal councillor is absolutely huge at 55,000 people in Toronto.

Toronto is not alone. That's about the same ratio that Mississauga has. To change it and to say that there's now going to be 110,000 would make it virtually impossible for the municipal councillor to interact on a person-to-person basis with his own constituents. They do not have the resources of this government. They do not have the ability to make changes, as this government does, and it would be literally impossible for them to do the kind of job that people in Toronto used to enjoy, when people in Toronto used to be able to interact with their local councillors just five years ago. They can't do it now, and you'll make it only worse unless you prevent further municipal reorganization.

The second thing that I see here under this title is that Bill 26 allowed for municipal restructuring—and this is in areas that did not have two tiers—by calling for a commission in order to do the restructuring. This particular bill was to have expired on December 31, 2002. Now it does not. The bill will not expire. So therefore, one who is naive, perhaps, like me, or one who is less naive but sees conspiracies everywhere, would ask, "What plans does the government have for restructuring now they've taken this out?" They have taken it out, and somebody is going to have to explain what plans there are for restructuring.

The third one also involves restructuring. The cities were allowed to approve restructuring and send that restructuring to the minister for approval. The legislation now does not say that the minister "shall" approve the restructuring; the legislation now says the minister "may" approve the restructuring. That means that when a city goes through a huge task of trying to determine how to do their job better when they've listened to the people, when they've called in the experts, when they've debated it and come forward with what they think is an excellent plan to help them run their own city, town or village better, the ministers only "may" approve that restructuring. That needs to be taken back to the old legislation that says "shall" approve the restructuring.

The fourth problem with this municipal reorganization is the public utilities commissions. Most of the public utilities commissions in Ontario are now appointed bodies. In fact, before amalgamation, three out of the six municipalities had elected public utilities commissions and three had appointed. As far as I know, the majority in the province are now appointed bodies. But what this legislation does is make it mandatory that they all be

appointed bodies. It takes away from the citizens in the small local towns and villages, who even today have the right to elect people to look after their water and electrical supplies, people whom they trust, who are from the community, who they think will do a good job, it takes that right away from the citizens. It is literally wiped out. No longer will they have the option of electing people to serve their best interest, but they will have to rely upon people appointed by their local council, appointed by the government, appointed by someone, but completely out of their control. And when those people screw up, as some inevitably will, they do not have the right to get rid of them, as they do elected officials. This is an important right that, if the town, city or village wants to keep it or even to adopt it, should be there. People should be accountable, and there is nothing more accountable than an election.

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The fifth problem I have with this particular municipal reorganization is the municipal service boards. It allows and talks at great length about setting up municipal service boards. I don't have a problem with many of these boards, because they probably would do a fairly good job. In fact, they exist right across the province already. But what it does is it takes things that are done by the local municipality for which there are controls and elections and it puts them at arm's length. One would have to be afraid, and I am a little bit afraid, to see that this is the precursor to privatization. You take it out of the municipal control, you give it to a non-elected or a partly non-elected body that has private people as well as some municipal representatives on it, and you set up a corporation which is intended to make money, and it is ripe and ready for privatization.

This may in fact be a problem in the long term—perhaps not for some of the members of the government opposite. But I would trust that if this legislation passes, it will be around for a while for this government or potentially any other one. It creates a problem that the cities are then going to have to deal with: with their workforces, with the people who live there and with the whole political problem of privatization as we've come to know it.

The sixth problem with this particular section is, and I've dealt with it briefly before, that the province can intervene on the size of councils. The best example, of course, is Toronto, from 57 to 44 to 22. It could even make it one, I suppose, because it's well within the authority of the minister to describe how many councillors or how many mayors or how many elected people would be there. There's nothing that would stop this, even were it not the city of Toronto, to say a place like Flamborough, to say a place like Hamilton, to say where my parents are living—and maybe my mother's watching today, as one of the earlier members said; she lives in a little town called Cardiff.

**Ms Churley:** Where is that?

**Mr Prue:** It's near Bancroft. My father lives there too, in the same house.

What would there be to stop the minister from saying to a town, a little council in an area, "You will only have one representative"? That would be a very grave problem for the people of Ontario: to see their councils reduced in size, without any say, and making them sometimes very difficult to operate.

I can only speak back to the time when East York was amalgamated and became part of the city of Toronto. This very government set up what were called community councils. We had a community council of two. It was a very difficult process. I was the chair of the first community council of two. I could not be challenged, no matter what I did. The chair was always upheld because there wasn't a majority of votes to undo me, except, of course, ultimately when it got to the full council. But the same thing would happen in small towns if you regulate them down to two or four bodies. It may make it increasingly difficult for them to operate as they have successfully done for 149 years.

This brings me toward the end, and I see I've used up only about half of my time. I want to talk to the government, finally. I've pointed to what I see as some of the good things. I hope you've agreed that I see some very positive merit in this bill. I have some problems in several key parts that I need to have addressed. I have tried to give you some solutions on how to deal with them and make them better. But that all presupposes there's going to be a broad public consultation.

There are 447 municipalities that need to be spoken to on a one-to-one basis. I would acknowledge that this government has gone out and has talked to AMO and the president of AMO, Ann Mulvale. I would acknowledge that this government has gone out and talked to the business communities and has come to the conclusion that this bill is pretty good as it is. But who the government has not talked to and who needs to have a chance to speak out, number one, are the employees who work for all the municipalities in this province. They need to be able to speak to them to see the impacts the changes will have on the day-to-day functioning of the 447 municipalities that now exist here. They need to talk to those employees' unions, because there will be issues around job security and how this bill is going to impact upon job security. They need to talk to civil servants and lawyers who work for the municipalities to make sure that in fact people understand the legislation and how it's going to impact on the day-to-day running of the cities and towns. They need to talk to the social agencies that deliver so much of the work, so much of the social care for our seniors and for our children, to see whether the municipalities are going to be able to continue to work with them, whether there are going to be changes or impacts upon how they do their work. None of those people have yet been consulted, to the best of my knowledge, yet they have a huge stake in how our cities and towns are going to work in the future.

The minister has said that he's hoping to have this bill wound up before the House adjourns for the Christmas break and to have hearings in constituency week over

four or five days in mid-November. I would suggest that the government would be doing a far better service to the people of this province and its 447 municipalities if they took just a little more time with this, that they not try to jam the hearings into four days in constituency week and that they look at their own legislation, which says that it's going to take effect on January 1, 2003. That's a long time from now. It's 14 months from now. I would suggest that the longer time frame will allow for studies, for full community participation, full city participation. It will allow for the government to look at other ideas for funding that have been suggested by the Liberals, other ideas that may reflect around charter status and what the big-city mayors now are starting to look for. All of those things need to be heard. They all have to be considered if this bill is to be made as good as it possibly can be.

I'm asking the government to take the time to do a proper consultation, even if that means that most of the consultation takes place after the Christmas break. I know that some members opposite will be busy with leadership aspirations and trying to find a new Premier, but there will be time, I would suggest, in January or February or March to take a couple of weeks when it's not so busy, when it's not constituency week—it will be difficult for some members to travel the province to actually hear this stuff—to take the time and do the proper consultation to give an opportunity to the cities, and especially the small towns and villages, to analyze this bill and suggest improvements to it. It will give time to the government members and opposition members to go out to the towns and villages and cities, and not just to consult with groups like AMO, which does not speak for all of them because they're not all members of that organization, or even the FCM, and they're not all members of that organization.

It will give time for the government to do an important thing, and that is to sign the memorandum of understanding. Better yet, it will give the government time to actually incorporate that memorandum of understanding into the bill itself. There can be nothing more powerful than having it written right there. Memoranda can from time to time be ripped up and changed without affecting the bill, but it is almost impossible to change the bill if you incorporate those words right into it. That is the kind of assurance that I think many of the towns and cities are seeking. Some of those same people, some of those same municipalities that were bitter about amalgamation, that were bitter about downloading, that were bitter about the government not coming to the rescue for many of the projects that they would like to do locally, can see that the government has had a change of heart and is putting it right in the legislation—that very important concept that's right there—that they will be consulted, that they are a government that is responsible, accountable and within their own jurisdiction. I am asking the members opposite to consider this very carefully, in light of constructive criticism which I am trying to give, to take a bit longer and to do it right. It took 149 years to get to this point, to the point where the changes are finally going to



come. Take another few months to make sure that those changes adequately reflect where the province and its cities and towns are today.

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Even more important than that is not to give a 1950s or 1960s bill, which I think with all respect this is—it's 120 years better than the first one—but try to craft some legislation that looks to the future: to the future where Ontarians increasingly live in cities, to the future where the economic impacts of what happens in the cities are paramount to how we function as a province and as a country, where international trading patterns are increasingly between cities and cities, and where we can make a real difference. We can make sure that cities in this province have the same powers, the same effects, the same status as cities with whom we compete around the world, be that New York or Chicago, Berlin or London, or Auckland, New Zealand. Look to make sure that our cities have the same powers, the same authorities, and that the people who run them, public servants elected by the people, have the tools with which they can do a good job.

Mr Speaker, I think that would conclude my remarks. I will turn over the balance of time to my colleague from Toronto-Danforth.

**Ms Churley:** It's my pleasure to take this opportunity to speak, after the newest member in the Legislature, Michael Prue from Beaches-East York, who, as we all well know, very recently came from serving as city councillor for part of the same area he is now representing here. As well, he was formerly the mayor of East York. I go way back with Michael Prue. We've dealt with a lot of issues together. In fact, I think we got to know each other best during the forced amalgamation of the five cities around the Toronto area into one.

I can categorically state that Michael Prue and the citizens of East York were perhaps the most—how should I put it?—energized in their fight against this forced amalgamation. I was amazed at the energy and the commitment of Mr Prue, who was then mayor, and the citizens of the area. At the time, of course, I did not represent East York. If you recall, one of the changes the Mike Harris government made was to make our ridings, the provincial ridings—I'm sure you haven't forgotten that, Mr Speaker; we used to represent a smaller area. The Harris government changed it so that our riding boundaries are the same now as the federal boundaries. So it was an interesting experience for me that the forced amalgamation fight started before I actually had to run in East York, where I was not quite as well-known as I was in Toronto, the part of my riding that I had served as a city councillor in for two years, 1988 to 1990.

I must say that Mr Harris gave me the opportunity to organize, to get well-known in that part of the former city of East York, because people were calling me. They felt that they of course weren't getting the support from the Tory member at that time, a friend of mine. Whether or not he agreed with the government of the day at that time, he's no longer a member in this House because his

position got frozen out when his riding and mine were amalgamated. So he's no longer with us, and because he was supporting the government position, people turned to me and to Frances Lankin, the former member for Beaches-East York. Of course, it was through the work of Frances Lankin, who proposed a third councillor, and the work of myself in this House to convince the government—it's one of the few victories the opposition has had in this place, and I'm proud to say that every now and then we have those victories—and we were able to get a third councillor for that area. But it was a hard fight. The government in that case admitted that they made a mistake.

I have been serving the good people of the western part of East York, west of Coxwell, for some time now. I want to take this opportunity to say that it is indeed a pleasure to be serving the people of East York, a very—

*Interjection.*

**Ms Churley:** Yes, it is, isn't it? A very strong community, which is one of the reasons they had such a hard time with being forced into an amalgamation with a huge city. Unlike any other part of this city, East York, and I mean this in a very positive way, has a lot of small-town elements to it that you don't see so much throughout the rest of the city: the way families come together and support each other, the way they come together to support the elderly, the way they come together to protect their community, work together for the good of the whole community; lots of good pubs and bars that Mr Prue introduced me to from time to time during the amalgamation fight—a really great community. I really am pleased to represent part of that community now.

I have to agree with the member for Beaches-East York. He spoke about the forced amalgamation, and a minister from the Tory government applauded when he talked about that as though that's a good thing. I believe that some people in the government would like to reduce it to almost no councillors in Toronto because there's a lot of dislike for the city of Toronto among many members on that side of the House, on the government side.

In fact, I'd like to ask what happened with the forced amalgamations in the 905 area. I'm happy for them that it never happened, because I don't believe that communities should be forced to amalgamate, particularly when it doesn't make sense, as it didn't in the city of Toronto. Michael Prue could tell you better than anybody, because he just came from there, what an absolute disaster it has been for Toronto. The forced amalgamation with all of the downloading and without the dollars attached that has happened has been a disaster for the city. The councillors are still struggling to deal with a lot of the fallout from that.

The government was going to—they started off with Toronto: not so many members here in Toronto as in the 905 area, far fewer now than when they forced the amalgamation, for obvious reasons. That never went ahead in the 905 region, and I say good for them, but it does beg the question about equity here. The city of

Toronto and some other jurisdictions were forced to amalgamate, and then there are other areas where there are far fewer constituents they have to represent, if you make some comparisons. In a matter of fairness, we need to look at that. Why should some of the members who are representing downtown areas of the old city of Toronto and the surrounding areas that were amalgamated into the city have to represent far more people than those in outlying regions? I think that's something we have to look at. But there's real concern now that it appears as though the government is about to—and I wish they'd come clean and let us know if they're going to do that—once again expand the existing wards and make them twice as big; in other words, make them the size of the provincial and federal ridings.

I want to say that like you, Mr Speaker, having been a councillor yourself, we all work hard. I think every member in this Legislature works hard. I'm in my constituency, pretty well. I guess I'm lucky I live close to my riding. I'm about 15 minutes from here, so I go to meetings every night. I'm very involved in my community. Members who don't live in their communities and have to be here during the week don't have that opportunity. I feel very lucky that I do have that opportunity. On the other side, of course, the expectation is that I be out every night and every day of the week, which I try to do.

In my experience as a city councillor for a very short time, I don't think I ever worked so hard in my life. It is true what they say about city councils, that there is no other level of government that is so close to the people. It is the city councillor who is called, as my colleague from Beaches-East York pointed out, about every issue in the book, and some of them are very hard to resolve. They are the kinds of issues that hit people on a daily basis.

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Parking in the city of Toronto is one. Parking, parking, parking. It's a big problem that's almost unresolvable in some locations, but we try. Garbage—all of those issues that hit you on a day-to-day basis. I know that councillors like Michael Prue, as mayor and councillor, are quite dedicated to be out there all the time, responding personally to those phone calls, going to every wedding, every baptism, all of those kinds of things. The bigger you make those wards, the harder it is for dedicated councillors to get out there and do that hands-on, one-on-one focus with the people in their ridings.

I want to say to the government, and I say this sincerely, that if that's in the works, if you are thinking once again of increasing the size of the wards in the city of Toronto, I urge you this time to consult with the councillors. Obviously, you think they would say that some people would have to lose their jobs so why would they support it? That's always true. It was very difficult for members in this House when some Tories had to run against each other. There had to be some losers and winners. I don't think that should be the thing that stops or prevents a government from doing the right thing, if it makes sense to amalgamate municipalities or increase the size of wards.

But you have to talk to the councillors who are going to be directly affected, and the people they represent, before making such massive changes. I can assure you that if you put together the increase in the size of the provincial boundaries and the increase in the size of the wards, and the school trustees being only part-time and being paid \$5,000 a year and not having their own personal staff, it's becoming much harder for all of us to do the job here in Toronto, and I'm sure across the province, that is required of all of these positions as the wards and provincial boundaries have gotten larger and larger.

I do want to say to the government, please, before just out of the blue changing these boundaries just to get back at Toronto again—the let's-stick-it-to-them-again kind of mentality—consult with the councillors. Tell them you're thinking of doing this, hold public hearings, talk to the constituents. I would do it rather quickly because the rumour is out there. There are lots of concerns but, once again, nobody has confirmed that this is actually being talked about.

The member for Beaches-Woodbine is now our municipal affairs and GTA critic. That's a load off my shoulders now, but obviously I will continue to pay a lot of attention to those issues as a representative of a riding in downtown Toronto. He did a very good job. I know that he actually read the bill, and he even found a typo, if I recall. On the very first day he had the big stack of papers; we were joking about it and he flipped to page 300 and something and found a typo, which he informed the government about.

I have not read the bill in detail—it's over 300 pages—but I have looked through it and talked to various people about it. I know that AMO has said they support it, that it's a step in the right direction. I don't know if the FCM is going to oppose it or support it, but they are disappointed because it's not going in the direction that we need to be going in, with so many changes in the way we govern and the changes in the way that all of the different levels of government work together.

Everything has changed, and what's happened with this bill is that it's updated to some extent—we needed to have that done and nobody's denying that—but unfortunately, and I said this earlier, this is an opportunity to catch up with the times and what the government has done is present a bill that goes a very tiny distance in the direction that we need to be going in, coming into this century.

It doesn't address the fiscal imbalance that we are seeing now more and more between what are called the senior levels of government—which is something I always had a problem with when I was a councillor, being considered the junior level of government, given the work that we did and that still is carried on by our councillors in our communities and the huge impact that our city and town councils have on our communities. That's the way it is, and that is a problem in itself. But the government is not addressing those fiscal imbalances.

There is something wrong when the federal and provincial revenues have been going up and up in good



economic times and the revenue in our towns and cities has actually been going down. Why is that happening? It's happening for a couple of reasons. It's a domino effect. You have the federal government, which balanced its budgets partly on the backs of the provinces, and then you have the provinces, and here in Ontario the evidence is very clearly there that it balanced its books not only on the backs of the disadvantaged and the poor, the seniors and people who most need government help—we all know that—the unemployed; no minimum wage increase in all these years in good economic times. The other way the government has balanced its books is by downloading many services to municipalities without giving these municipalities any way to raise funds. The cities are still considered creatures of the province, and they still are within this bill. Although it goes some way in terms of addressing that issue, it doesn't fulfill the needs of cities in this day and age. So you have a fiscal imbalance in that.

Let's look again at some of the things our cities now have to care of, some of which they were doing partial aspects of before but now have had to take on the whole, and some of which are new to them; for instance, housing. Now, this government doesn't build any new housing. They stopped building affordable housing, and we all know we've got a housing crisis, and "crisis" is the right word to use in this context. The entire social housing portfolio has been completely handed down to the cities without enough dollars to go along with it, and in Toronto, that's huge.

I have in my own riding Don Mount Court, which was in the news a while ago, some housing that was handed

down to the city from the province without enough dollars to fix it up. Lo and behold, we find out there are major issues in that complex. For a while it looked like they were going to all be kicked out and the buildings torn down. Jack Layton, the councillor in the area, and I got together and held meetings. We are now dealing with that problem, and people can stay in their homes, but those buildings are in terrible shape, and it's going to take a massive infusion of cash to fix them up properly. We can't afford to be tearing down this affordable housing, because no new housing is being built, and every year we see more and more people on the streets, including children, women with kids and whole families in motel rooms. But that's just one example.

All of public health was downloaded to the municipalities. Transportation—until the most recent announcement for GO Transit—completely; the only jurisdiction in the western world where the so-called senior level of government was not contributing. These are some examples of the kinds of things that were downloaded to the cities without—is it almost 6 o'clock, Mr Speaker? I see you are looking at your watch and think you're going to be standing up any minute and saying, "It being 6 of the clock...."

I should take this opportunity to end my speech for this evening. I believe I have a little over five minutes, which I will pick up on another occasion.

**The Deputy Speaker:** The member is exactly right. It now being 6 o'clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

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Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
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Deuxième session, 37<sup>e</sup> législature

**Official Report  
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(Hansard)**

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**Monday 29 October 2001**

**Lundi 29 octobre 2001**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 29 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 29 octobre 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### BROWNFIELDS STATUTE LAW AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT DES LOIS EN CE QUI CONCERNE LES FRICHES CONTAMINÉES

Resuming the debate adjourned on October 23, 2001, on the motion for third reading of Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters / *Projet de loi 56, Loi visant à encourager la revitalisation des terrains contaminés et apportant d'autres modifications se rapportant à des questions environnementales.*

**The Acting Speaker (Ms Marilyn Churley):** Further debate?

**Mr David Christopherson (Hamilton West):** First of all, let me thank you for assuming the chair for me on my regularly scheduled evening so that I may finish off the 22 minutes I have on our lead on the third reading of this bill. So thank you very much. I appreciate that.

I had said last week when we were talking about this, and those members who were here last week will recall, that the Minister of Municipal Affairs and Housing, in response to something said previously, said that no other government had taken the initiative they had on brownfields and cared enough about brownfields to actually do something. I of course responded, as soon as I had the floor, that indeed our government, the NDP government under Bob Rae, had brought to the city of Hamilton almost \$10 million that allowed for the cleanup of what was first Harbourfront Park, now Bayfront Park, and that without that money, without the investment from a senior level of government, meaning Queen's Park in this case, the property, the land that juts out into Hamilton harbour, would not be developed into the fantastic, beautiful people place that it now is.

The city had the plans, they had the vision and they had the money for the development of the land. What they didn't have was the \$10 million that it took to clean up the land. It had been determined that because it had been a previous industrial site, the land was contaminated. Since the intent was to bring families down to this

open space, to return children down to the waterfront, something we hadn't seen in generations in Hamilton, the fact that the land was contaminated made the difference between go or not go. In fact, the project sat there ready to go, but needing that funding.

We provided that funding because it was understood by our government, by the NDP government, that local government couldn't go this alone, that bringing back brownfields, particularly those pieces of land that had been contaminated to a very high degree because of the previous industrial use, they couldn't do that alone. They don't have the tax base; they didn't have the resources. They were quite prepared in my hometown of Hamilton to pay to put the park down there and do all the planning and provide all the staff, do all of that, but they couldn't do both. It was just beyond the means of local government. So in partnership—real partnership, not the kind this government talks about, pays lip service to but never delivers on—in real partnership we provided that \$10 million for cleanup and, boom, that triggered the city's ability to invest the money they had budgeted for in the capital budget and triggered the plan they had set aside.

As I said earlier, if you get a chance to go down there—and I say this somewhat tongue in cheek—you won't believe it's in Hamilton. It's absolutely beautiful to be standing by the waterfront, because we all know how polluted the bay has been. By the way, just as an aside, we're starting to bring it back. Slowly but surely we're getting it back. We're getting fish life. We're getting plant life. The tests are showing that we're making gains. We've got a long way to go but it is absolutely beautiful, and now many Hamiltonians consider Bayfront Park to be the jewel in the crown of places you want to bring visitors to Hamilton to so they can see it. When you're standing there, surrounded by the water and the beautiful mixture of open space and trees and the gently sloping access down to the water itself—and adjacent to that of course I mentioned was Pier 4 Park, geared specifically for kids. We shared in that in a partnership.

Just a decade ago there was nothing there, just barrenness. Nobody went there. You didn't really look beyond the tracks. There was no point to it. What was the point of going down there? Now it's exactly the opposite. Why? Because we knew that the local government was prepared, they were committed. They had their share of the money, but they needed help. Surely members of the government will understand the concept that everybody needs help now and then, and this was one of those cases for Hamilton, and with real partnership and, yes, real



money, we now have this jewel in the new city of Hamilton.

#### 1850

The government backbenchers, and I'm sure they'll do it again this evening, get up and start genuflecting to the minister, commend the government and say how wonderful they are for bringing this in. You know, as words go, it's not so bad a document and it certainly, as I mentioned the other day, goes in the right direction. It doesn't go far enough in a number of areas, such as: what do you do about protection for people who own lands next to brownfields if there's continuing leachate that then contaminates the land next door? Where's the responsibility there, and how much are the owners of the brownfield freed up or saved from any kind of legal action against them, and a number of other minor concerns? But as far as it goes it's fine, which is about as high a praise as I can bring to it. It's fine. But without money it doesn't do what the government members have said and I am convinced will say again this evening. Without the money it won't do that.

Now, lest anybody believes or uses the argument on the government side that this is all pie in the sky and it's dreaming, that you really can't marry words and a law with that kind of money, not in this kind of economic climate that we're in, lest they think they've got that argument at their fingertips, I want to present a few facts. I want to talk about what they're doing down in the United States. Never having been accused of being a hot-bed of socialism, world centre for entrepreneurship, the United States has been into the business both in words and, more importantly, money of brownfields for almost two decades.

First example: Community Reinvestment Act, CRA. This requires—not urges, not asks, not pleads on bended knee—banks to lend money to low- and moderate-income urban neighbourhoods in revitalizing brownfields. They give the financial institutions a credit through their tax system. I think they allow them to deduct those costs in the year they're expended as opposed to having to capitalize them over a period of time, which is the way their tax system works. I'm not drawing comparisons between the tax systems, but I am pointing out that the philosophy, the point of saying to banks, "Thou shalt not turn your back on low- and moderate-income neighbourhoods" is one they're prepared to tackle head on.

Again, I don't imagine the US Congress passes laws ordering banks to do things lightly, but because of the importance of this, that's exactly what they've done. The Tories didn't do that. Sure, one could argue that what I've just talked about is not the US government's money, so maybe it's easier to do, and I'll address that in a moment. But my first point is that, given that it's not US taxpayer dollars, they still found a way, through the use of laws passed by Congress, to force financial institutions to make sure there's money available. You didn't do that, and you can't say you can't afford it, because it's got nothing to do with money. It's about whether or not

you're committed to the development of brownfields or not. That's one.

I have a press release issued by the United States Environmental Protection Agency, and please note the date: April 20, 2001. It would be under the new administration. This would be after they passed a trillion-dollar-plus tax cut. In that kind of economic milieu, they made the announcement. In this case it was an announcement for the District of Columbia receiving a \$100,000 brownfields assessment demonstration pilot. What's important is, that's just one example. They have 90 other communities, for a total of \$38 million for brownfield redevelopment.

You didn't do that. Even if you want to talk about the per capita difference between the populations of the United States and the population of Ontario, fair game: do the math. It doesn't matter what it amounts to: if it's anything above zero, it's more than you did. You did nothing. You didn't provide one nickel. Here they're ordering the banks to make sure that money is invested in communities that otherwise wouldn't be the first choice of banks and other financial institutions, and now, \$38 million nationwide for assessment and cleanup of brownfield sites.

I want to read just one part from this, because I'm going to have trouble fitting all my examples into the time I've got left. There's that much to talk about in terms of what a government that truly wants to put its money where its mouth is is prepared to do compared to you. But it says, on this news release, "These critical start-up funds often make the difference"—let me repeat. "These critical start-up funds often make the difference for many developers to choose to clean up unused properties."

Isn't that supposed to be whole point of your bill? That's what this bill is supposed to be about, and here we are, our friends and neighbours to the south, through their environmental protection agencies, saying that they believe critical start-up funds like that which I've just referenced can make the difference as to whether or not a property is developed or redeveloped. You didn't do that. You won't even make the statement. You can't make the statement, because if you did, you'd have to back it up with at least \$15. So I expect not one member of the Tory government sitting here this evening is going to admit what the Environmental Protection Agency of the United States of America has said flat out: "These critical start-up funds often make the difference for many developers to choose to clean up unused properties."

There's more. Why is there more? Because they truly are committed to this issue. That's what's infuriating about this debate. If each of you was standing up and acknowledging that the bill goes in the right direction, that it starts to clarify a few matters, it provides some protection for developers, but that the biggest piece in terms of dollars you aren't yet prepared to move on—but that's not what they're going to do tonight. It's certainly not what they've done to date. They've stood up and

said, "This is the be-all and end-all. There you go, right there."

So you can't make that statement. They not only make the statement; they back it up with money. The Environmental Protection Agency administrator—an individual named Christie Whitman—also announced that the EPA will provide \$2 million in financial assistance to provide training for residents and communities impacted by brownfields. Think about it: now we've got a government that's ordered the banks to make sure they provide loans and capital to communities that otherwise wouldn't receive money. They've put money—\$38 million in the recent announcement in April—directly into 90 communities in the United States, and here they've put in another \$2 million to provide training for local residents to be a part of the cleanup. It both cleans up the environment and provides jobs. That makes a lot of sense if you're as committed to the cleanup of brownfields as the government members' speeches would have you believe they are.

1900

We're still not done. I'm going to read this into the record because I think it needs to be there in Hansard, to be looked at for future reference. It's another document issued by the Environmental Protection Agency. Isn't it interesting that they do their initiatives under the auspices of the Environmental Protection Agency? I think that speaks volumes about where they're coming from.

They have something else called the "brownfields tax incentive." Now we're getting into some serious coin.

"EPA's"—the Environmental Protection Agency's—"brownfields economic redevelopment initiative is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields. A brownfield is a site, or portion thereof, that has actual or perceived contamination and an active potential for redevelopment or reuse. EPA is funding: assessment demonstration pilot programs (each funded up to \$200,000 over two years), to assess brownfields sites and to test cleanup and redevelopment models; job training pilot programs (each funded up to \$200,000 over two years), to provide training for residents of communities affected by brownfields to facilitate cleanup of brownfields sites and prepare trainees for future employment in the environmental field; and, cleanup revolving loan fund programs (each funded up to \$500,000 over five years), to capitalize loan funds to make loans for the environmental cleanup of brownfields. These pilot programs are intended to provide EPA, states, tribes, municipalities, and communities with useful information and strategies as they continue to seek new methods to promote a unified approach to site assessment, environmental cleanup, and redevelopment."

What's interesting is that the government, our government here, could probably make the last statement about their bill: "These pilot programs are intended to provide," and instead of EPA, states you could say "municipalities, communities and the province, with useful information and strategies as they continue to seek new methods to

promote a unified approach to site assessment, environmental cleanup and redevelopment." That sounds very much like what you say the aim of this is, and I don't disagree that that's the direction you want to go in. The difference is that they make that statement and back it up with dollars. Again, I want to remind the members of the government that we're talking about a Republican government; we're talking about the continuation and expansion of programs that come—if their government hadn't passed it, certainly it was well on its way—to a trillion-dollar-plus tax cut, and in much the same economic situation that we are in.

The statistics of the brownfields tax incentive are rather staggering, in my opinion. I'm reading directly from their document: "Under the brownfields tax incentive, environment cleanup costs are fully deductible in the year they are incurred, rather than having to be capitalized." Again, I think that's making reference to the initiative ordering banks to provide money to low- and moderate-income neighbourhoods and communities. To continue, though, "The government estimates that while the tax incentive costs approximately \$300 million in annual tax revenue"—that's \$300 million of tax revenue they've given up to provide this tax incentive—"the tax incentive is expected to leverage"—and remember, they've been in this business for 20 years—" \$3.4 billion dollars in private investment and return 8,000 brownfields to productive use. This ability to spur investment in blighted properties and revitalize communities makes the tax incentive a valuable tool for restoring brownfields."

This isn't just a speech about spending money out of the clear blue; this is in response to your initiative, Bill 56, which purports—the name of it is An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters. I have read sheets of statistics and policy showing the kind of commitment the US government is prepared to make, and you aren't putting up one penny. Yet, if you read the Hansard and probably listen to the speeches after me—you'd think it might modify some of them, but I doubt it; they'll just pretend it didn't happen and read the prepared text the way it was handed to them. What's infuriating is that you're claiming so much about this bill. I'm pointing out to you that a government that makes the same utterances as you and says they have the same commitment is prepared to put down hundreds of millions of dollars.

Am I saying, "Match it dollar for dollar"? Of course not. But on a per capita basis, with the population base we have in Ontario, you could make the difference for literally hundreds, if not thousands, of brownfield sites. You'd be helping the community, you'd be putting people to work and you'd be giving our cities and towns hope for the future, something they desperately need. So if there's been some kind of caucus meeting or cabinet meeting in the last few days where they've come to their senses and said, "We'd better either stop saying this bill is everything or cough up some money," and you actually have some money to announce today, I suggest that you



be more upfront with the people of Ontario and don't tell them this is the be-all and end-all and don't have your Minister of Municipal Affairs say you're the only government that cares or is responding. We did it before there was a policy, and our friends and neighbours to the south have shown what it truly means to be committed to the redevelopment of important communities like Hamilton all across Ontario.

**The Acting Speaker:** It's now time for questions and comments. The member for Simcoe North.

**Mr Garfield Dunlop (Simcoe North):** Thank you very much, Madam Speaker. I want to congratulate you on your position in the Chair tonight.

First of all, it's a pleasure to rise this evening to make a few comments on third reading of Bill 56, the Brownfields Statute Law Amendment Act, 2001. I want to congratulate Minister Hodgson again for this piece of legislation, and I also want to thank the member for Hamilton West for his comments this evening.

I think the portion of this bill that I value most deals with serviced land. There are so many properties throughout our province that sit basically stagnant today. These lands are serviced with sewer and water and roads and, in a lot of cases, natural gas and a lot of other utilities. For municipalities across our province to be able to utilize those properties I think is very important, particularly for the economy of all those areas. Just think of the cost of putting pipes and services in the ground, of asphaltting and of curbs and gutters.

It's extremely important, not only for municipalities but for the development industry as well. This will give municipalities the opportunity to utilize that land, meaning that they may be able to add commercial or industrial uses for it. It's so important for our economy to create jobs, and above all it allows us to use land more efficiently and not eat up other properties across the province for useless purposes when we can take advantage of services that are already in existence.

I appreciate the opportunity to make these comments.  
1910

**Mr Rick Bartolucci (Sudbury):** I'd like to thank the member for Hamilton West for his insightful comments on the bill. I only wish the government would listen to the opposition more often, because the member for Hamilton West makes some excellent points. He described some success stories in his city of Hamilton.

I think of the re-greening of Sudbury and how that would not have been possible if we were dealing with this legislation. We all remember the Kyoto accord a few years ago. Sudbury was featured at that conference as an example to the world. It was an example to the world because all the partners came together and did what they had to do in order to make the re-greening of Sudbury a success and a model for the world to follow. That model consisted of government supplying money to municipalities and to partners who wanted to ensure that our environment was improved, enhanced and protected.

Although this is a good first step, it's only a tiny step. It certainly puts municipalities and private people in an

awkward position. The government almost dooms the process to failure, because it refuses to come to the table in a meaningful way. I think it's critical that this bill is very lacking because it doesn't have monies attached to the educational component of enhancing our environment and protecting our environment and how to deal with a brownfield if you are a community that is experiencing it. The bill has many shortfalls.

**Mr Gilles Bisson (Timmins-James Bay):** I want to echo some of the comments that were previously made in regard to the bill. I agree with our critic, the member for Hamilton West, that the bill is in fact a step in the right direction. I wouldn't want to give the government the idea that the bill itself doesn't go some way in trying to deal with the issues of how do we develop along the lines of what happens in communities when it comes to brownfields development. But there are a couple of issues that need to be responded to, and I hope that at committee at least the government will try to look at some of these issues.

One of them is that much of the detail of this bill is in the regulations. It's a bit of a pig in a poke; we're voting at second reading for a bill that purports to give the municipality tools to redevelop brownfields, but the details of what they're able to do are going to be by way of regulation. That is somewhat troubling.

The other thing is the monetary issue. The member from Sudbury, along with the member from Hamilton West, mentioned that if you don't have money tied to this, how are you going to make it happen? I look back at communities like the city of Timmins or Kapuskasing or a number of other communities across the north where there has been environmental damage to sites that are potentially good sites to develop various types of, not industrial lands but parklands or whatever it might be. Unless you're able to tie some money with it by way of the Ministry of Municipal Affairs or the Ministry of the Environment or whatever, it's fairly difficult to make that happen.

I think back to the whole issue in the city of Timmins in regard to the tailings ponds from the old ERG project between Timmins and Schumacher, part of the city of Timmins. None of that is going to get redeveloped unless the government itself wants to get involved in some way with some type of incentive.

I agree with those members that you have to have some dollars tied to this. The other issue is that much is in the details of the regulations. I look forward to seeing what they're going to come back with in committee in order to clear that up.

**Hon R. Gary Stewart (Minister without Portfolio):** It's my pleasure to make a couple of comments in the last two minutes. I just want to make one comment about the member from Sudbury, and I don't want to get into an argumentative mood, which I very seldom do.

I think the municipalities are waiting very patiently for legislation like this to come into being. They have areas, especially in smaller-town Ontario, that are sitting there stagnant and they cannot do anything with them.

I look at the city of Peterborough. We have had a couple of industrial companies that have left or closed down and concentrated on the larger areas. We have land there that needs to be developed, should be developed, should be looked at, to make sure that it's environmentally safe etc. Until this type of legislation is put through, that is not going to happen.

I look at what's happened in the city of Kingston, where they had all kinds of three- and four-storey buildings downtown that were sitting there unoccupied. What they did a couple of years ago was say, "Why don't we look at turning those into affordable housing?" And that's exactly what they did, but they needed that incentive to go ahead on property that had deteriorated, that was sitting vacant. I think this is very similar to what we're talking about in the brownfields legislation.

One of the problems is the red tape. If we can get rid of red tape, things like this can happen. As I said, this legislation, I believe, does some of that.

**Mr Bisson:** Say that again.

**Hon Mr Stewart:** Well, you say those two or three Rs in a row and you have a problem. Anyway, the gist is there and I hope you understood what I was trying to say.

**The Acting Speaker:** The member for Hamilton West has two minutes to sum up.

**Mr Christopherson:** Let me thank my colleagues from Simcoe North, Sudbury, Timmins-James Bay, and the member from Peterborough, who's also the chief government whip, for their attention and their comments.

To my friends from Sudbury and Timmins-James Bay, obviously both have experienced very similar types of action as we had in Hamilton. I did not know that you were actually an example during the Kyoto discussions. Having travelled to Sudbury for a number of years, one can see the difference in your community. I congratulate you on the greening that's taken place there, and the same to my friend from Timmins-James Bay.

To my colleague from Peterborough, first of all, chief government whip, you say that municipalities are waiting. Let me suggest to you that without money they're going to do a lot of waiting still, because there's only so much they can do if it's a brownfields site that needs to be cleaned up. Unless Peterborough has a lot of hidden riches that I'm not aware of, you need the same kind of assistance that my hometown of Hamilton needed in order to redevelop the Lax property. This may help one or two projects that may or may not have gotten off the ground on their own, but the stuff that really matters is still going to require meaningful partnership between Queen's Park and municipal governments.

To my friend from Simcoe North, it's fascinating to listen to him speak. You'd think his government hadn't gutted the Planning Act we put in place that did all the things he's talking about. You talked about wanting intensity, you wanted to make sure that land was reused, you wanted to make sure that the pipes were properly made up for, and what you do now is bring in a Planning Act that just, wide open, gives us urban sprawl—the opposite of what you said.

*Interjections.*

**The Acting Speaker:** OK, calm down everybody. Order. Are we all settled down? Further debate?

**Mr Frank Klees (Oak Ridges):** It's great to follow that performance by the member from Hamilton West. You can always tell when we have a wine tasting in this place. It certainly does contribute to the debate.

**Mr Christopherson:** On a point of order, Madam Speaker: I was going to make some comment like that about somebody else. I wasn't there, and I don't think we want to start getting into that kind of nonsense.

**The Acting Speaker:** Thank you very much. Please proceed.

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**Mr Klees:** It was actually meant as a compliment. I'm sorry the member took it as an insult. The truth of the matter is that the member for Timmins-James Bay, in response to the member for Hamilton West—

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** He was there.

**Mr Klees:** I believe I did see him—referred to this debate as second reading debate and that he looks forward to this going to committee. As members know—probably every member but the member for Timmins-James Bay—we're actually in third reading debate. It's a bit of a time difference between his riding and Queen's Park perhaps. Unfortunately—and I'll remind the member—this in fact has gone through the committee stage. Somehow you've lost a couple of months of time here, but there has been, Speaker, as you will know, a great deal of consultation around this bill.

To the member for Hamilton West, I find it interesting that the entire thrust of his debate was that while there are some good things in this legislation, what's missing is the money. Isn't it interesting that that would come from a member of the New Democratic Party who, when they were in government, obviously felt there was all kinds of money to put into all kinds of programs without any thought as to where it was coming from.

In fact we had considerable debate about this legislation, and there were those of us who had suggested, "Wouldn't it be wonderful to package an incentive program and add some funding to this legislation?" The reality is that if the money isn't there, you don't spend it. That's why it took us, as a government, a number of years to balance a budget that was driven into an \$11-billion deficit by the member's government, the NDP. That's why we are now recovering from an incredible debt that was wreaked upon this province by previous governments that saw an ideal situation of creating policy and, yes, creating a package of money that they knew would appeal, whether it be to municipalities or special interest groups, and they knew would get them applause.

The reality is that I believe taxpayers in this province have learned that the role of government is not necessarily to fund everything along the way but rather to create an environment and to make the way clear for others to make the investment. This legislation, contrary to what the member opposite would have us believe, does



in fact address the issue of financing, but it does so in a practical and businesslike way.

This legislation addresses the area of financing in three ways. It addresses the liability issue that typically surrounds brownfields development. It addresses the planning aspect of it. By the way, if you have experience in the development business, you know that time translates into money. If you have a piece of development property tied up in the red tape of planning, you know people will hesitate to invest in a redevelopment of brownfields because they know they're going to be paying a great deal over that period of time. It's simply the time value of money.

The Speaker, who was formerly speaking as the member for Hamilton West, has now taken the chair. I'm glad you're here because now I can address some of the concerns that you were concerned about. As I said, this legislation deals with the very issues the member for Hamilton West—you, Speaker; it's interesting how that can happen in here—was concerned about. We have in fact addressed that issue.

In the area of environmental liability, the Speaker will know that the reason the private sector has often refused to touch brownfield development is because there is such an overarching financial liability resting on these properties that it would take forever to work their way through the planning process, and there would be on-going liabilities into the future.

This bill, in case the honourable member for Hamilton West, now the Speaker, didn't read it, specifically deals with that liability issue. It sets out clear rules for limiting future environmental liability, complemented by checks and balances to ensure that environmental standards are met. We're not suggesting for one minute that developers should be let off and that they should be allowed to develop these properties without accountability; far from it. We will not in any way step back from that responsibility. But we are saying there will be rules and regulations placed on these brownfields developments that will make them attractive for the private sector to step in in partnership with municipalities, because in addition to some of the liability limitations, we are giving flexibility to municipalities to provide some tax incentives, to provide some grants, to provide all kinds of financial incentives to the private sector to step in.

I know the Speaker, in his capacity as the member for Hamilton West, would say, "Well, that's not enough. The government of Ontario should step up and throw a few million dollars at this, because other jurisdictions have done that." I find it interesting, Speaker, that you in your capacity as the member for Hamilton West would cite examples from the United States of America. I hear that member stand up in the House, day in and day out, suggesting that anything that happens in the United States of America is somehow bad. Every time any policy is introduced on this side of the House that in any way relates remotely to something being done in the United States of America, this is bad, this is selling out the government of Ontario to the United States of

America. Yet the entire speech by the member tonight gave examples of what's happening in the United States of America and imploring our government to follow suit, to do as they do.

I suggest that what the minister has done in this case is actually come up with a made-in-Ontario solution, consistent with his philosophy and consistent with his respect, not only for the taxpayer of this province but for the private sector of this province, which has demonstrated over the last six years that if government just steps back, takes away the barriers, eliminates the red tape and stops strangling the private sector, the private sector will be more than willing to step in and provide the risk capital. They're simply saying, "Give us an opportunity," and through this legislation the minister has done exactly that.

He's saying we will provide the limited liability, we will allow municipalities to have the flexibility to work with the private sector to create the incentives so we can get on in this province with developing some properties that right now are in gridlock. They're not being developed; they're often an eyesore on the community; they're not being used in a productive manner at all. We're saying, let's free those up. Why would we do that? Because it's a common sense thing to do. The other reason—particularly as the member for Oak Ridges, where we have been struggling with the issue of growth on the one hand, protection of the environment on the other and property rights in the middle of that struggle—is that it makes a great deal of sense that we would look at properties in this province where often they're in the middle of an urbanized area, there are already existing services, as has been said, but because of contamination and because of some of the restrictions around them, they're not being developed. A great deal of opportunity. As the Speaker himself said in his comments, there are some successful examples of that where we can create some high-density development in areas that would benefit not only individuals, but the economy generally surrounding those properties.

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I point out to the House that this piece of legislation, to the minister's credit, is going to do what we believe in this province will be essential. We believe that by setting out very clear rules for limiting future environmental liability while maintaining the principle of "polluter pays," we have struck in this legislation the right balance between creating that incentive and protecting the citizens of this province.

This bill will provide municipalities with much greater flexibility, as I indicated previously. It will provide municipalities with the planning and the financing tools that they have been asking for for a number of years. We will be providing municipalities with some additional tools that to this point have actually been contrary to legislation in this province in terms of creating incentives for the private sector. Additional financing tools for both rehabilitation and development will be part and parcel of this package.

The power of entry for one year after a failed tax sale to perform environmental investigations could yield information that the subject land is not as contaminated as perceived. Simply a lack of information about a property often sidelines a piece of property from sale and from future use. Through this piece of legislation we've been able to deal with that, I think, in a very practical and reasonable way.

Removal of the minister's approval of community improvement plans that do not include financing eliminates one further layer of planning approval. Again, often it's not so much the initial cost of investment, either in the purchase of the property or even in the development of the property, but it's the time frame that is a disincentive to developers and to builders as they view a potential project.

We have examples in our own community of properties that are in the middle of town, but because of a previous business that was there and because of the incredible potential liability that is inherent in that property, it's simply not being touched; it's not even being given a second look. What we've done here is created an opportunity for those properties to be appropriately tested so that in fact a proper assessment can be made.

All in all, we believe that it is going to be in the long-term best interests of the people of Ontario that we are moving forward, finally, with this important piece of legislation that others have had the opportunity to do something about. Previous governments had all kinds of time to deal with this issue; they chose not to, and as a result, unfortunately, of course, we have not seen the production of housing or the production of new commercial facilities on these properties, often in very strategic locations.

The soil and groundwater contamination is something—as you know, results are going to be addressed through this legislation. Cleaning up sites will foster clean, healthy and dynamic neighbourhoods in these communities. These are some of the by-products we will realize as a result of this legislation. By cleaning up these contaminated sites, health and safety issues are removed and people are protected, both in the present as well as in the future. By cleaning up and restoring or recycling land, communities and neighbourhoods would be vitalized and further cleanup and redevelopment could be stimulated in surrounding or adjacent areas.

As I indicated, brownfields redevelopment will relieve pressure on very important farmland that we have a great deal of concern about in our communities, particularly in the riding of Oak Ridges. A lot of our farmland is under pressure to be developed, and we simply believe that this, in addition to other measures our government has taken, will address those issues. I'm looking forward very soon to hearing from the same minister who had the vision and foresight to introduce this legislation—to see the legislation relating to the Oak Ridges moraine.

This legislation does not stand alone. It really needs to be looked at together with other legislation that has been

introduced by this government that deals with the challenges of growth, that fits into the smart growth philosophy this government is following, that says we have to respect the economy, the rights of property owners, the challenges that growth presents and that we do it in a way that is sustainable.

I'm convinced that over the next few days we're going to hear that this same minister, the Honourable Chris Hodgson, Minister of Municipal Affairs and Housing, has a long-term vision for this province that ensures quality of life for its citizens, that ensures that our natural heritage is preserved, that our environment is preserved and protected, that we'll continue to respect the importance of economic growth and stability. Through these important pieces of legislation, he will demonstrate to the people of this province that it is possible to have a good public policy that balances economic needs and the quality of life issues that Ontarians are very concerned about. I trust, Speaker, that in your wisdom you too will see fit to support this legislation at the end of the day.

**The Deputy Speaker (Mr David Christopherson):** The floor is now open for questions and comments.

**Mr Jean-Marc Lalonde (Glenarry-Prescott-Russell):** The Act to revise the Municipal Act is something elected municipal officials have been waiting for for many years, but have we consulted the municipal officials? Have we consulted the CAOs of the municipalities? I remember in 1996 when the government decided to pass Bill 25, the omnibus bill downloading responsibilities to the municipalities without consulting the municipalities, without consulting the officials of the municipalities. They downloaded everything, with no say in it. I wonder if it is going to be similar this time.

I remember when this was downloaded. We downloaded the ambulances. At the time we said 100% of the responsibility would be on the municipalities. We were also going to download nursing homes, which we said was impossible. A nursing home is like an industry to a community. Finally they changed their minds, so the municipalities wouldn't absorb the 50%. I wonder, when I read Bill 111, are they planning to download school buses to the municipalities? If they ever do, it is going to cost over \$11 million a year just in Prescott and Russell.

At the present time, it's true that we want to give more power and responsibility to the municipalities, but without having any say in setting up the rules, the standards and everything. I can tell you that at the present time I'm really worried when I see a document of 320 pages that we have in front of us, with only a couple of days to study it, without knowing what is in the minds of this government for the municipalities.

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**The Deputy Speaker:** The Chair recognizes the member for Toronto-Danforth.

**Ms Marilyn Churley (Toronto-Danforth):** Thank you, Mr Speaker. It looks like we've changed places here.

I want to respond to the member for Oak Ridges on this bill. He started his speech with the gratuitous com-



ments that the NDP, while in government, spent all this money willy-nilly, without thinking about the benefits, and on and on. I think he was talking about that in response to the member for Hamilton West talking about the large amount of money our government chose to put into that community to clean up contaminated land and water. That was the choice we made, yes, to spend taxpayers' dollars in a very positive way.

This government, the Harris government, the Tory government, has decided to bring in a bill that only goes halfway. This is so typical of the bills we see before us.

The member for Oak Ridges knows from the committee hearings—and I did not sit on these committee hearings because I was involved with nutrient management and other issues—that the people who came before the committee said time and time again that this is going in the right direction but it cannot succeed without funds from the government.

As the member for Hamilton West pointed out, in the United States—and I'll cut this government a little bit of slack because we do not have involvement from the federal Liberal government here. When the member for Hamilton West talks about the EPA in the United States, he is talking about a federal program across the country, and we would certainly like to see the federal government step in as well.

But it was said time and time again. There was a conference held in Hamilton where speaker after speaker said that provincial and federal funding is key, that it cannot be done unless that funding is there. So you cannot escape that and you're going to have to deal with that reality.

**Mr Ernie Hardeman (Oxford):** It's a pleasure to rise and commend the member from Oak Ridges for a fine presentation on Bill 56, the brownfields development act. In most of the discussion on brownfields redevelopment, we talk about the brownfields in urban centres and trying to prevent urban sprawl by better utilizing the land that is already taken out of agriculture and should be put back into development.

I think it was very interesting that in the presentation prior to the member from Oak Ridges, we heard about how we should put money into the big redevelopment areas where brownfields were considered to be a problem and just leave the rest of the countryside and not worry about it. I thought the presentation that the member from Oak Ridges made was very helpful, talking about how we need a framework in place so the private sector can redevelop all the brownfield areas in the province, thus making sure that we protect the greenfields of this province, which I think we would all agree has not been happening. We have not been doing as well in that area as we should, for the very reason that it was too expensive and too difficult for people to develop those areas that have had a chance of being contaminated or may very well be contaminated. The cost of the process they have to go through in order to develop that and the risks they have to take don't make it practical, so they just

move out to the countryside and develop on greenfields. I think this bill will go a long way to solving the problem.

I want to commend the member for having explained it so well and, incidentally, having studied it so well. I noticed that some of the other presentations were having difficulty relating to the bill and speaking to the issues that are in it. Some of the discussion has even been on totally different bills. So I'm very happy to see that my colleague here is speaking to Bill 56.

**Mr Bartolucci:** I'd like to thank the member from the Oak Ridges moraine for his presentation. Although I fundamentally disagree with the premise of his argument, certainly he's entitled to make it, being on the government side and reading the prepared speech which he was asked to read.

One thing that does bother me is that he said this government got spending under control. We all know the reality is that expenditures continued to keep on going up, along with the debt. In fact, you will know that when this government took over, government spending in Ontario was \$56 billion. Last year it was \$62.4 billion. You know that the deficit has swelled by \$23 billion. The reality is that the Harris government collected \$15.2 billion in income taxes in its first year and expects to get \$18 billion this year. So the reality is that this was anything but a government that managed the finances of this province well.

That's the problem with the brownfields. The rhetoric is great; the reality isn't so great. I would suggest that the brownfields legislation, Bill 56, is doomed to failure unless you come as a full partner and help the municipality do what it wants to do. You have a role. Government has a role to play in this. In this instance, the toolbox that you've supplied to the municipalities is woefully inadequate. That toolbox needs your commitment, and it needs your commitment to help finance this.

*Interjection.*

**Mr Bartolucci:** Yes, it needs more money, well spent. There's absolutely nothing wrong with that. That's the role of government.

**The Deputy Speaker:** The member for Oak Ridges has up to two minutes to respond.

**Mr Klees:** I want to thank the members who have participated in this debate.

To the member for Glengarry-Prescott-Russell, who I know meant well by referring to Bill 111 when we're debating Bill 56, his comments will be taken and we'll transcribe them back into the last debate that we had.

To the member for Toronto-Danforth, I understand her penchant for spending. I wasn't saying at all that it was wrong to do what was done, for example, in Hamilton and other areas. At that time, if the money was available—and I can tell you that if the coffers were overflowing, if we weren't still trying to dig ourselves out of the mess that previous governments got us into, we too would, I'm sure, be willing to distribute additional funding to various places.

I thank the member for Oxford for his insight and his wonderful compliments on my speech.

To the member for Sudbury, I thank him for being on the record as admitting, finally, that our government has increased health care spending by some \$5.8 billion. I question him as to whether or not what he's saying is that rather than put the money into health care, we should be putting it into brownfields. I'm going to ask him to respond at some point during the course of this debate. And the member rightfully refers to a toolbox. That's what this is: a toolbox for municipalities, the private sector—all of the partners—to get on with it. It is not a money box, and that is what the opposition is calling for. That is not what this government is about. We're saying, "Here's a toolbox. Use it wisely. Use it well. Work together. Co-operate. Do what is right, in the interests of our taxpayers."

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm pleased to be sharing my time with the member for Sarnia-Lambton, the well-known Caroline "Erin Brockovich" Di Cocco, who will be talking as well.

*Interjection.*

**Mr McMeekin:** She's been called worse than that, but not by anybody on this side of the House.

I want to say at the outset that there's a very real need for brownfields legislation in this province. That opinion was certainly echoed by municipal leaders all across the province when we did our Let's Build a Bridge tour, as was the lament about the lack of coming to the table, in so many areas, with the resources to make things happen.

**1950**

The member for Oak Ridges talks about how things fit together. That's true. There's a pattern here. This government so often seems to be able to take one itty-bitsy, tiny, little step toward doing the right thing, but always somehow finds—it's almost mythical how they do it, the ability in the end to fall short, to let it fall between the cracks simply by not being able to come to the table with a few quarters to help out things here.

Every Ontario community, some more than others, has contaminated sites. They're eyesores and they're toxic hotspots, some of which, by the way, were created at least in part because of a failure of provincial governments of all stripes to assure the kind of environmental vigilance that in hindsight we wish we had exercised. For that reason alone, I think a very good case can be made for the argument that the provincial government, generically, is culpable with respect to brownfield sites and therefore ought to, as a matter of basic political integrity, come to the table with resources.

I can tell you that in my community of Hamilton alone there are some 130 brownfield sites, some 3,400 acres. We recently had a conference in Hamilton on brownfields which we were privileged to be at—a lot of good material, all of which I'll send to my good friend Chris Hodgson—with respect to some of the pluses and many of the shortfalls of Bill 56. One of the key business leaders in my community went to some great lengths to suggest that without the cash needed, particularly given

the lack of environmental vigilance by this government, he was quite convinced that this would simply represent another forum of inappropriate offloading on to municipalities.

I thought your remarks, by the way, Mr Speaker, were very good in that regard. I don't, just for the record, recall from you, in my 14 or so months here, any pattern of lamenting what's gone on in the States, or any other country for that matter. That's just for the record.

We need to create an environment that will serve clearly as an incentive to help us get some of the very real difficulties we have sorted out. Good ideas always require some small first steps, and we've seen a series of those here. The bill, to its credit, does recognize municipal risk, does recognize there's a problem. But it just doesn't embrace adequately the kind of solutions that experience would tell us need to be put in place to make things happen.

It's been said that good judgment is based on experience and experience invariably on bad judgment, and I think we've seen a lot of evidence of that here in this House. Clearly, we need new tools. As the member for Hamilton West, who serves in the dual capacity as Speaker, has said, municipalities need a hand, they need some help, they need flexibility and they need resources.

One of the members opposite, I think it was the member for Oak Ridges, talked about its being a toolbox and not a money box, just not having the resources available to help. I wish when he was sitting around the cabinet table with some of his colleagues, spending this \$254 million on partisan government advertising, that they had paused just for a moment to reflect on the serious brown-field problems we have.

That having been said, I concur with members who have indicated that we need both senior levels of government to come to the table with more than just words of encouragement. We need them to come to the table with an acknowledgement that while some sites may be—I hesitate to use the word "sexy," but some sites are sexier than others. The sites that really need the partnership are those sites that don't readily lend themselves to ready partnerships and yet they're still as much an eyesore, they're still as much a toxic hot spot until they get cleaned up.

I respect the minister's intention with respect to this legislation. The minister is well intentioned these days. It must be very frustrating for a minister who does desperately try to take the time to listen to be as shut down as he is by this government on so many fronts.

We need this government to be bolder and certainly more visionary. In my opinion, there's not enough in this bill to generate much interest with respect to the risk management that was referenced by others, especially given the provincial involvement and the lack of MOE oversight.

Where to go? One of the things we could be doing is demystifying SuperBuild. It would be nice to think that, like Quebec, coming to the table with \$30 million, and New York with a couple of hundred million dollars, this



government would acknowledge what so many other people seem to know: that if you come to the table in a true fiscal partnership, you can make some things happen that otherwise wouldn't happen.

Like you, Mr Speaker, when you had your few moments here, I want to look for a minute at what our friends to the south have done with respect to cleaning up brownfields. For the past decade, numerous states have developed brownfield programs with financial incentives, liability relief, which is another shortcoming in this bill, and streamlined local approvals procedures, which to this government's credit they have made some progress on.

In Massachusetts, for example, in order to encourage the redevelopment of brown sites, they passed the Brownfields Act in 1998. This act creates new incentives to encourage the cleaning up and redevelopment of contaminated properties. It provides liability relief and financial incentives, while at the same time ensuring that all Massachusetts' environmental standards are complied with. The Massachusetts Brownfields Act creates three financial tools that complement each other and address an assortment of other needs. Two of the tools deal with start-up money—I think you referenced that in one of your references to American sites as well, Mr Speaker—which the state will provide to potential developers.

The third tool is a state tax credit of 25% that is available at completion of the cleanup of a contaminated property. In fact, the state will provide a tax credit of up to 50% as an incentive to get on with cleanups.

I believe these are all good steps and truly do encourage people in other locations to get involved with brown-field sites, and I think if we were to go the second mile to try to replicate those here, Ontario, which lags far behind its neighbours to the south, could move forward in a much more progressive way.

Currently, municipalities are very worried. They're in the awkward position that if they get involved they'll end up footing the bill, and that is never comforting. I can say that as one who has had the experience of being the mayor of a great municipality.

I want to end by suggesting that there's still time to make the changes. In fact, there's never a wrong time to do the right thing. I want to remind the government of that and suggest to them in all seriousness that if they were to brave doing that, we on this side of the House would seriously stand in support of this legislation, but as it is now, no way.

**Ms Caroline Di Cocco (Sarnia-Lambton):** First of all, I want to commend the member from Ancaster-Dundas-Flamborough-Aldershot, not only for his philosophical perspective, but for providing some substantive evidence of another way to do business, which he put into the record. I want to thank him for doing so.

Bill 56, the Brownfields Statute Law Amendment Act, certainly provides municipalities with a toolbox. What the member from Oak Ridges forgets, though, is that the tools are missing. We need to do more than just the toolbox. It's supposedly to encourage rehabilitation of contaminated industrial lands, but there's no provincial

funding to pay for this cleanup. I understand the need to manage dollars prudently. Unfortunately, one of the responsibilities of the various levels of government is to be at the table—we talk about partnership—and to be at the table substantively, not only rhetorically.

#### 2000

One of the issues for me is with regard to—I heard the member speak about red tape and that if you remove the red tape, the private sector will step in. Unfortunately, the track record of red tape here is only to take away the regulations that in many instances are there to protect the public.

The private sector in my municipality has done some remarkable things with brownfields. I can speak about what Dow Chemical has done with their wetland project, whereby their environmental research experts who are looking at different ways to clean up their sites have planted special vegetation that has been extremely successful in turning their brownfields into a natural area with a walkway. But there has been no partnership. They have done that on their own hook. Can you imagine how much more broadly that can take place if you have the municipality, the provincial government and the federal government actually come to the table and sit down and say, "OK, how do we divvy up this responsibility so we can actually empower the municipality with some funding?" and say, "OK, how do we get this cleaned up?"

One of the things municipalities don't have is environmental departments that deal with the investigative process of—let's put it this way—how contaminated the site is. They have to go out and buy the expertise. I believe some of the larger municipalities have that, but a number of the smaller ones just don't. It's just not in their capacity to have the expertise to actually do what is going to be in their mandate with this legislation.

For me there's a consistent pattern that I've seen since I've been a member of this Legislature; that is, to give responsibilities—like they're doing in this case, saying, "OK, we're going to give you more leeway to be able to ensure you can clean up or give a tax incentive"—but the cost is coming from the municipality. They're going to have to divvy up the cost. You're giving the responsibility to the municipalities, but they have to find the money.

In the end, we do have just the one taxpayer. They've already paid through their wages to the provincial government, they've already paid to the federal government, and here you have the municipality, which is strapped. It only has one way to attain the taxation base from which it can provide its services. That taxation base is through residential assessment. I believe it is unfair to consistently do this.

I have with me some figures for the city of Sarnia. In 1991, they received transfers of about \$10,509,501 from various levels of government. Since then, they certainly have had a lot more responsibilities downloaded, but they only receive \$216,000 in transfer payments. It's a huge, huge difference, and the cost to the municipality—its budget for the year 1991 was \$48 million, and today it's

\$50 million. So it has certainly gone up, but they've had to find the dollars to pay for their services at the local level. Again, in the end it's one taxpayer.

One area where I believe the provincial government certainly has a responsibility is not only in this reactive mode in the whole issue of cleaning up. I'm watching a whole site in our area be contaminated on a daily basis, and yet there doesn't seem to be a political will to put liability on the generators of waste that's going to end up contaminating the sites. In the United States, they have more stringent laws that suggest that the generator, particularly of hazardous waste, is responsible from cradle to grave. They're responsible after the waste is landfilled and if there are any kind of environmental impacts. We don't seem to have—certainly there's no political will. We've seen what they have done to the environment ministry. That, to me, is an indicator as to the political will to deal with serious environmental issues.

We want to talk about, as I said, this whole, if you want to call it, concept of putting the responsibilities as well on to those generators and the private sector, because what the mantra seems to be is to remove any obstacle for the private sector. They have to make money; we know that. But on the other hand, they have a responsibility. Again, I disagree with the fact that the government certainly finds the money for its partisan advertising. It finds the \$250 million, no problem. Its cabinet offices have increased in cost by 116% since 1995.

**Mr McMeekin:** They still haven't answered your questions on that.

**Ms Di Cocco:** That's right. You really haven't answered the question that I certainly posed as to why it has increased when every other ministry has been smaller.

What we have here is a lot of rhetoric, but there's a lot of dollars, in my view, that are being directed, and I don't think their priorities are straight. I would like to have seen that kind of money going into environmental clean-up, into environmental, if you want, tools in those toolboxes for the municipalities, as well as incentives for industries that are taking innovative approaches to cleaning up their act and are being responsible for the waste they generate.

One of the remarkable things is, we talk about wanting to clean up brownfields, but it's my understanding that a lot of the waste that's generated, particularly hazardous waste—I don't know, 70% or 80% of it—this government doesn't even know how it's being disposed of. In other words, they could be putting this hazardous waste in non-hazardous landfills. We don't even know that.

So I'm very skeptical about the political will of this government to introduce legislation that is truly going to assist in cleaning up our brownfields.

**The Deputy Speaker:** It is now time for questions and comments.

**Mr Bisson:** I want to commend the member for the comments she made in this particular speech. I just want to repeat what I said earlier in regard to where we are at

third reading of this bill, that there is much of this bill that is really left to the detail of regulation. That's something that bothers me greatly. The general gist of what the government is trying to do by way of the legislation itself I don't have difficulty with, because I think we can all agree, on all sides of the House, that we need to try to find ways to encourage the redevelopment of areas that are brownfields within our communities. All members can point, I'm sure, to a site within their communities, within their ridings, that is in need of trying to redevelop areas that, quite frankly, have been an environmental disaster. I know I can point to some, and I'm sure all members can do the same.

**2010**

The difficulty I have, and I want to say this again because it needs to be said, is, first, many of the details are in the regulation. That bothers me because we really don't know what we're dealing with here, what kind of power the minister is going to take or not take in regard to what's going to happen, depending on how this particular bill is going to be used in municipalities across Ontario.

The second issue is that of resources. I look at the city of Timmins, or Kapuskasing, or Hearst even, where there have been brownfield developments that quite frankly would be good to redevelop into whatever we can do with them, but if there is no support on the part of the provincial or federal governments to assist the municipalities to mitigate some of the costs for the municipality or, in some cases, even the developer, if it's appropriate, how is that going to happen? The government across the way says, "We can't be spending money to do these kinds of things." I would argue that in some cases we need to. We need to make sure that we develop those sites properly within our communities so they can be used for the benefit of all the citizens and communities. If the provincial or federal governments are not at the table with dollars, it often is just not going to happen.

**Mr Wayne Wettlaufer (Kitchener Centre):** It's very interesting to hear the members of the opposition party object to this piece of legislation. It makes me think that they're performing the role of an opposition party, and that is why the people of Ontario want them to remain an opposition party for a good long time.

There is no way you can object to this piece of legislation. Everybody in Ontario wants to see the brownfields developed. The only proviso I would make would be that those who are developing the brownfield ensure that all communication necessary is made to the surrounding property owners.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I commend the members from Ancaster-Dundas-Flamborough-Aldershot and from Sarnia. I apologize for having referred to Bill 111 a little while ago. It was really Bill 56 that we had to refer to, but it is again downloading.

When I look at this bill from start to end, I really don't know where I am going to stand on this, because the contaminated land, especially in the rural areas, has been



an oversight on the part of this government for many years. When I say "oversight," it's because I look at the Hawkesbury issue. Hawkesbury had a CIP lab plant, and they had a huge lagoon of 50 to 75 acres. The government, MNR, has taken over. They left that contaminated land there, right in the middle of the town of Hawkesbury. The government doesn't want to do anything with it. Will this bill entitle this government to clean up this piece of land that belongs to the government at the present time? I don't know if it's going to happen.

If I look in the Glengarry area, the Alexandria area, for example, which was served by a former minister, we have contaminated land all over this area. Every day of the week we get phone calls because the people are in a really bad position at the present time. They don't know what to do. There is no financial assistance for those people. We want to have the land clean, but the people are going to lose the property. The process is to proceed with a severance of the land so they would let go of the piece of land that is contaminated to the province or to the municipality, so they wouldn't have to pay the bill for cleaning up that property.

**Ms Churley:** I find it too bad that the debate on this bill has become so adversarial in a way, because I don't hear any member in the House say that they don't support legislation that will help clean up brownfields, contaminated land. I, for one, was pleased to see the government come forward and take some steps to have that happen.

Despite the fact that the government says they're the first ones ever to deal with this issue, we know that isn't so. We know our government put in substantial dollars to clean up contaminated land. But I supported the government's position in terms of coming forward with legislation that would put in a regulatory regime that will help our cities, our towns and the private sector clean up these lands, because make no mistake, there was a time—fortunately that is changing for the better—when we used our land like a garbage dump, in the days when nobody thought about the eventual impact. I know from my riding, which used to be called Riverdale, terrible lead contamination in South Riverdale from a lead smelting plant that was put in there, I think, in the 1920s. By the time we discovered it, taxpayers ended up having to pay for a large portion of the cleanup for the health of the people who lived there. Just over the weekend, I was in Port Colborne talking to people about the contaminated land there. These are very serious contaminations we're talking about, but there are thousands and thousands of very dangerous sites all over the province. We cannot pretend, as the government wants to, that this legislation is going to go far enough without the funds attached to clean up those sites. They have to address that issue.

**The Deputy Speaker:** Now either the member for Ancaster-Dundas-Flamborough-Aldershot or the member for Sarnia-Lambton may take up to two minutes to respond.

**Mr McMeekin:** The riding with the longest name, because our people have the biggest hopes and the

biggest dreams. The member for Sarnia-Lambton and I are both so passionate in our concern about this issue that we're wrestling to see who has the final few precious seconds in this important debate to drive home a few key points, salient points that this government, on a good day, would catch easily if they were listening. Those who have ears, let them hear.

It's like a giant puzzle, Mr Speaker, and I think you put it very well when you quoted one of our American friends—you often quote our American friends when you want to make good points in that context. I believe your words were that these critical start-up funds often make the difference, and I think that's very true. There are going to be situations that municipalities are going to be facing in the not-too-distant future. There are going to be sites they want to clean up, and there's going to be concern because the amendments haven't quite adequately dealt with the environmental liability and they're not going to want to take on those sites.

**Mr Dave Levac (Brant):** We've had one in Brant.

**Mr McMeekin:** There's one in Brant. Plastimet is a classic example in my hometown. So that funding is critical.

The toolbox that's referenced seems to include a lot of hammers. The difficulty with that is, when your only tool is a hammer, every problem is a nail. We need a few tuning forks and screwdrivers and some other helpful tools.

This legislation represents one small step for municipalities and one giant step for PC spin doctors.

**The Deputy Speaker:** The floor is now open for further debate.

**Ms Churley:** That's a hard act to follow. I'll have to think of something clever to follow up on that. I'm sure it'll come to me halfway through my 20 minutes.

We talk about brownfields. If there are actually people out there watching us tonight, they might want to be reminded—

*Interjection.*

**Ms Churley:** Absolutely, they're tuning in right now to see me.

It's important that we remind people—we get into jargon and rhetoric here—what we're talking about when we refer to brownfields. Many people across this province have experienced and are experiencing so-called brownfields in their towns and cities; certainly, as I mentioned previously, in South Riverdale, where I live and have lived for many years. In fact, I got into politics as a result of fighting pollution in various forms in my neighbourhood. If you want to talk about brownfields, this was in a residential area. It still is a residential area. A large lead smelting plant had operated there for years with minimum controls. Over those years, lead was spewing into the air and the ground and the soil, into the houses, into the schoolyards, into the gardens, everywhere over a large area. Over that period of time, a number of community residents really started to understand there was a problem, and there was lobbying for a very long time. David Reville, and before David, Jim Ren-

wick, who were NDP members sitting in this House in opposition at the time, were the champions. They fought hard for years, working with the community to get successive governments to do something about this problem. 2020

This is one of those horror stories. This is what happens when land isn't cleaned up. We finally got mobile caravans to come straight into the community with public health nurses who took blood tests from the children. I'll never forget the sight of children lining up to have their blood tested—this was in a low-income area of the riding. Not surprisingly to the community members who were working on this issue, some of those children had blood levels that just went through the sky. Nobody could pretend any more that this wasn't a problem.

At that time I believe it was the Liberal government in power, and we were finally able to convince them that the money had to be spent. We did go through quite a rigamarole in terms of trying to get some money back from the lead smelting plant, and to my knowledge they still haven't paid a huge chunk of that money, whereas it was their responsibility. But at the time, a decision was made that the health of these children and the residents came first.

Now we have a situation in Port Colborne, where I was on Saturday and spoke to folks who live in some of the hot spots on Rodney Street, which is one of the areas, as a result of a plant there, that we now know. I believe the government is coming out with a report, the results of some further testing of the nickel oxide that's in the soil and the air and the water, and no doubt in people's homes in that area. This has been going on for some time, and I asked the minister questions, which I have numerous times—I asked just last week, last Thursday.

We think there's a report coming out tomorrow, and we understand there will be no testing inside those houses. That is ridiculous. You know this has been tracked into the houses over the years and has accumulated there. We now know—and this is a very important point—we keep learning things over the years as our scientific equipment becomes more sophisticated and we're able to do more sophisticated testing. We're able to upgrade what certain carcinogens do to our bodies.

What happened in 1994—I think it was shortly before we lost the government—was that the federal government came out with a report that for the first time called nickel oxide a class 1 carcinogen, which is known to cause cancer; not suspected, as had been the wording in the past, but known to cause cancer. Since the time this government came into being in 1995, nothing has been done. This is after a report came out from the federal government saying it is known to cause cancer.

Some people there, because the government would not spend the money to do the sophisticated testing that's needed to detect these levels in homes—and I'm talking about lead and arsenic as well as nickel oxide in that location. Because the government wouldn't test, some of the people there have spent the money themselves and had that sophisticated testing done. Lo and behold, not

surprisingly they found that some of those houses had higher levels of this stuff inside than outside. That is very worrisome.

So I asked the minister if they would conduct the tests inside the houses, like we did in south Riverdale looking for lead. It must be done. The community is demanding, and I am demanding, that it be done.

As we get more sophisticated equipment, as we understand more the impacts of these carcinogens and other industrial wastes that have been building up in our communities, perhaps for a hundred years, some more, some less, it is absolutely critical that we do something about it, not just for redevelopment, because that's important as we try to—and I know that's the intent of the bill—find a way to clean up these sites so we can build on these existing sites to try to avoid urban sprawl, which has all kinds of environmental problems, not to mention losing more and more farmland. This kind of legislation is important, and I welcome some aspects of this legislation that will help municipalities and the private sector do that. I welcome some of the minor amendments that the government made and accepted to improve this legislation. It is important. In my view, I think, to some small extent, it is going to make a difference.

The problem is—and of course it's not just the NDP saying this. That's the way government members speak. They say, "It's the NDP. They're talking about spending money again. That's all they talk about. All they care about is spending money. It doesn't matter."

There was—and the member for Hamilton West referred to it—a conference that was held in Hamilton—where, as we know from him and others, there is a great deal of so-called brownfield land in that community, as there is in south Riverdale, where I live—at which others spoke very vehemently about the need for both other levels of government to come in with more than a toolbox, which is what is being presented here today. The toolbox is not all that helpful without the funding to go along with it. Several speakers at the conference said things like, "Senior government levels were missing in action" as far as funding for brownfield remediation is concerned. Over and over, speakers pointed to pots of cash, loans and financing packages available in the United States.

It says in this news report I'm reading from the Hamilton Spectator, dated 10/18/01, by Mike Pettapiece that a blunt message came from Peter Lemon of Owen Sound: "What we need is a new understanding from senior governments (Queen's Park and Ottawa). What we need is reality government," Lemon said. Referring to the downloading of services onto cities and towns, he said senior governments are not kicking in remediation money. "This is neither fair, nor just. But, it is a reality so far."

Again, later on, it says, "Neither level of government has come up with the serious money seen at city, state and federal levels in the United States." You need a brownfield incentive package. Not just a toolbox but "a brownfield incentive package beyond what you've got at



the moment.” “You need a provincial and federal partnership in this whole program.”

All of the articles that I’m reading from that conference repeatedly say this over and over again. Many speakers said Bill 56 is a good first step but it doesn’t address the questions of funding and of civil liability should contamination spread. So what we have here is what some people are referring to as a good first step, but that’s all it is. I find that frustrating, given that we have a government that stands up and talks about their so-called Smart Growth, which I refer to as dumb growth because it’s not my definition of smart growth. If you’ll recall, the term “smart growth” came from Al Gore, who penned that phrase in the US when Clinton was in power. Al Gore, who was a known environmentalist, did a lot of work on the environmental front and came up with this phrase to indicate real environmental planning.

When we were in government, one of the things that I was most proud of—and I should refer to this because it is indeed related—and there were many things that we did in our government that I was very proud of and sometimes people forget and need to be reminded of, was that we brought in the Planning Act. We referred to it as the green Planning Act. If that act had been left alone and carried forth, many of the problems we’ve been having in Oak Ridges moraine would not have happened as a result of this green planning act.

2030

If you’ll recall, we took this very seriously. John Sewell and Toby Vigod, then from CELA, and others went out—I think it was for two years; it came in on time—and consulted all over the province. It was a very difficult process because lots of people had different views, but it reached generally a consensus and it was a really good green planning act that encompasses the kinds of things that you hear this government talk about now. They say the words, but they’re not doing it. The Gibbons report, which was just done for the Ministry of the Environment, talks about the need to not isolate taking care of the environment into one ministry, but to have a government—and we started that with the Environmental Bill of Rights and the Environmental Commissioner, which I am happy to say is the only progressive piece of legislation in terms of the environment that this government hasn’t gutted.

I’m not just talking about pieces of legislation that our government brought in, of which there were many; but when you think about the Environmental Assessment Act, which has been totally gutted, the heart and soul torn out of it, the whole aspect of proponents having to look at alternatives to the site, alternatives to the undertaking, to look at the social and economic impacts—all of that is gone. Now it can be scoped down to the hole in the ground. That’s where things are at with the environmental assessment process. Intervener funding has been thrown out; a lot of the advisory groups are gone, and on and on and on when it comes to environmental protection.

Not only did this government repeal the NDP green Planning Act, they went even further back. They took the existing Planning Act and even made regressive changes in that to make it easier for their developer friends to develop and make money. That’s what happened.

But one of the things they kept was the Environmental Bill of Rights, which was something we’re very proud of. It’s something that Ruth Grier had talked about in opposition. Then we came into government and she was able to work on it and we kept our commitment and brought that in. Fortunately, that remains; I think it remains because I don’t think even this government could have gotten away with killing that. It was too popular a move.

It involves community involvement, community input and a commissioner as a watchdog keeping track of what the government is doing. But it also, and this is key—and I’m coming back again to not treating the environment in a piecemeal way. The concept was—and we started to do that in our government, and the Planning Act is a good example—looking at the Planning Act not just in terms of developing rules around that, but green, real smart growth. We didn’t call it that, but that’s what it was all about: to protect our environment and be able to develop at the same time, but in an environmentally friendly way, and to stop or curtail urban sprawl.

Under the Environmental Bill of Rights we also started the idea that all ministries and all ministers had to come up with an environmental business plan, that every new policy and piece of legislation they brought in had to be looked at as well from the environmental point of view. That’s really critical if we’re going to be able to clean up our environment. It’s really critical if we’re going to make improvements in our environment and stop the kinds of problems that existed in the past.

That’s what we need to see with this piece of legislation around brownfields. It is just not good enough and it isn’t going to work. There may be a little cherry-picking, a little tinkering around the edges, and it might be easier to have some sites cleaned up. But I can guarantee you from everything I’ve read in this bill, and all the criticisms of it, the biggest concern that we hear over and over again is that, particularly after all of the downloading this government has caused for our municipalities—think about it. They are scrambling already to be able to keep up with the repair of roads that the province used to do at one time. They now have to find the money out of their limited tax base to pay for that. They have to pay for housing because the government completely got out of building affordable housing and downloaded the affordable housing and social housing that we have. Public health, transportation, all of those things: they don’t have the funding to do the kinds of things they have to do now. So here we have before us today a very important bill that is lacking a key component.

I want to take this opportunity to say directly to the government that this is not just on their heads. Mr Speaker, when you were speaking to this bill, you talked about the Environmental Protection Act in the US. That of course is a federal agency, and this program that deals

with brownfields in the United States is helping people—municipalities, communities, First Nations—all across the country. They've put massive amounts of dollars into it. I'm sure if you were to talk to some of the developers and environmentalists and town councils and governments there, they would say it's not enough. It's never enough, but at least it's a start. There's real dollars, real money put into a pot.

I was intrigued, Mr Speaker. I think you said \$2 million was put in just to help train communities as to how to deal with this. That's the kind of thing that we need to see here. This is a very serious problem. It's dangerous in some cases; that's the worst thing. I would say that the dangerous brownfields have to be cleaned up first, particularly in our communities.

I have a site that I didn't name in my community right now, a couple of streets. We're dealing with the ministry. This has been going on for seven years. They've had testing and all kinds of things done, and the government is dragging its feet in dealing with the company that is responsible for at least some of it. Nobody is doing anything, and the land is just sitting there. People are living on that land. We are trying to deal with it in a civilized way, at this point dealing directly with the government.

For those kinds of dangerous situations, where people are living there and their land is contaminated and there's evidence that it either causes short-term or long-term health problems, I don't think there should be any debate whatsoever in this House. If it's a choice between giving large tax cuts to corporations and to wealthy people, which is what this government has been doing ever since they came to office—that is why it took them so long to pay down the deficit. That is why they still have a huge debt. They're taking money, borrowing billions of dollars, to give these large tax cuts. In the meantime we have these brownfields. They need to be cleaned up. We have a government which once again is giving large corporate tax cuts and saying they have no money to put into a pot, even if it's a little bit, even if it's a small amount in pilot projects, to get the ball rolling, to get things started.

So I would say that I'm so disappointed that we're not going further with this bill. I wish the government would listen not just to us but to all of those, and I'm sure there are many, Tories in municipalities saying the same thing. They need more than this incentive. They need real dollars, real funding.

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**The Deputy Speaker:** It's now time for questions and comments.

**Mr Dundup:** I just want to congratulate the member for Toronto-Danforth for her comments this evening. I heard a lot of positive points coming from your comments this evening. I hope in the end, after our debate, that your party will support this legislation. We think it's good for the province of Ontario; we think it's good for the communities in our province. After maybe further comments and debate and some thought, I hope you'll support this legislation.

**Mr Levac:** I'd like to congratulate the member for Toronto-Danforth. Absolutely no question could be made about her passion and genuine concern for the environment. I want to compliment her. From my knowledge in this House, she has continued to fight for the important parts of the environment that are necessary.

Speaking specifically to the bill, and sitting on the general government committee that required and requested and received support from both sides to come to Brantford to take a look at an actual site that was being rehabilitated, I want to compliment all the members in the House for their openness in trying to see the real issue that we're faced with, and that is to rehabilitate these sites.

The things that the leaders in my municipality have been talking about—the mayor himself in his presentation indicated that you've got these easy sites that are low-toxicity or the clean sites that governments don't have to worry about because the private industry will walk right in and say, "We'll snatch that piece up and redevelop it." There's not a problem with that. It's the rehabilitation that needs to take place. Deputation after deputation went on to say, "You've got to have some type of special fund that's available, like it is in the States, and we need federal, provincial, municipal and even private sector money to have for an emergency situation."

One of the brownfield sites in Brant used up their entire reserve fund. Brant, being a leader, had this marvellous pot of money that it would be able to set aside for redevelopment of brownfield sites. One disaster in one ward used up the entire fund. So the fact that the government is not speaking about a special fund disappoints us.

It also disappoints us about the liens. The provincial government is not working with the municipalities to drop those liens on the property that they actually own so that they can go in and develop them. They're not dealing with those liens as well.

Off-site liability, where the toxins leach into another property beside it—they're not taking care of that as well. That type of legislation is far too vague, if it's even referred to.

So there are far too many things that have to be done for this government to say it's won the battle on brownfields.

**Mr Bisson:** I'd like to congratulate the member from Toronto-Danforth.

I guess the sort of litmus test that you've got to give to this legislation is, what is it going to really accomplish in the end when it comes to being able to clean up brownfields? I agree with the member from Toronto-Danforth that this is a step in the right direction, and nobody argues with the direction that the government is trying to take. This is something that our party, the New Democrat Party, supports. We believe there needs to be an effort not only to give municipalities the legislative tools to clean up brownfields, but you've got to also give them the financial tools to do it.



I take this legislation and I look at areas within the riding of Timmins-James Bay where there are brownfields that need to be redeveloped, and I ask myself, "Will this legislation in and of itself redevelop those sites?" I don't have the crystal ball to say for sure no, but it's not very likely, because the brownfields in our communities tend to come out of the mining environment. So if you look at old tailings sites, you take a look at what's happened in the Schumacher area around what used to be Pearl Lake, or you take a look at some of the Hollinger stack tailings in other places that are the sorts of brownfields that we would be talking about, unless the government is there with some kind of dollars to assist the private sector to develop that particular land into something useful again, it's just not going to happen.

I say that one of the things the government should be doing is going to the federal government and doing what we did as a provincial government under Bob Rae, saying, "Why don't we negotiate some type of arrangement where there's a one-third/one-third/one-third sharing of the cost between the three levels of government?" and saying, "If a municipality wants to support a particular project in the community, we the province and the federal government will kick a share into helping redevelop that brownfield site." If you did that, you'd probably see this legislation doing something positive when it comes to redeveloping brownfields. But in itself I would venture to guess that not a lot's going to be done when it comes to redeveloping brownfield sites. The legislation might be a step in the right direction, but it ain't got the teeth.

**Hon Mr Stewart:** I just want to compliment the member from Toronto-Danforth on her presentation. There seems to be a lot of concern about municipalities and where they may get funding and how they may accept this legislation. I think the municipalities will be tremendously supportive of this. They are the ones that will benefit in the long term. Rather than have buildings and property that cannot be used, they could be turned into affordable housing; they could be turned into a lot of things. I think there should be a tremendous ripple effect that could be done through this particular legislation, so I hope that everybody would support it.

**The Deputy Speaker:** The member for Toronto-Danforth has up to two minutes to respond.

**Ms Churley:** I'd like to thank the member for Simcoe North for his short but kind remarks.

To the member for Brant, I wanted to pick up on a few points that he made. In my remarks I talked about cherry-picking but I didn't go into details. I'm glad he brought that out a little more, because that is the concern, that there are some easy pickings there, that the developers can go in and clean up the easy spots, but the really bad spots, the ones that we should be most concerned about, nobody will touch, and they'll be left. That's part of the problem with this legislation. It's set up in such a way that it will be easy to cherry-pick the easier spots.

I wanted to also come back to the issue around the liens, an important point that I didn't address, but it is also important.

I'll come back again to the funding. The member for Timmins-James Bay—and I'd like to thank him and the member for Peterborough as well for their remarks. I want to come back to the funding because it is a critical piece that's missing here. There are some other problems that should be fixed, but it's that.

We think about the SuperBuild fund and the OSTAR fund, which are woefully inadequate. We have a huge problem with our sewer and water systems. We have a situation with the SuperBuild and OSTAR where it's not a dedicated fund for sewer and water and people are having to wait, municipalities are having to wait for that. Does this mean that now they are going to have to think about another piece of OSTAR and SuperBuild when there's not enough to cover sewer and water and the roads and all of the other things they have to cover out of those funds? It's hard to get anyway and it's not enough. Does this mean the municipalities are going to have to use those woefully inadequate funds to try to find funding to clean up these brownfields? If that's the case, it's not going to work, and I implore the government again to take this issue seriously and take a look at it.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr John O'Toole (Durham):** It's my privilege to take a couple of moments and address Bill 56. It's sort of ironic that earlier today Minister Hodgson addressed the new Municipal Act. Having served several years at the local and regional level in Durham—of course, that's my riding—I've seen the relentless struggle of finding a solution to solve the issue of liability with old contaminated sites. So I'm pleased specifically with part III, which amends the Municipal Act. In that, the amendments allow the municipalities to pass bylaws and address issues with respect to assessment.

I know this is the right thing to do, and I'm confident from my observations that it looks like we're close to unanimous agreement on this bill. So with that, my remarks should be on the record in saying it's the right thing to do and the comments in the future will bear evidence that this bill will pass.

**The Deputy Speaker:** The floor is now open for questions and comments.

**Ms Di Cocco:** I just want to reiterate that this bill that deals with brownfields has to do with providing the authority and downloading to the municipalities the right, if you want, to deal with this, but it doesn't look at the whole package. I have to say that in my view you have to also put your feet where your mouth is. Unfortunately, too often we find there are some—I mean, the concept is right on. When we talk about the ability for municipalities to give tax incentives, of course that's important, because tax incentives would assist the private sector to go in and develop these brownfields. Unfortunately, the tax incentives come out of the municipalities' pockets; they don't come out of anyone else's pockets.

Again, you're not at the table in partnership with the municipalities. All you're doing is saying, "Now you can give tax incentives to clean up the brownfields." "Partner" doesn't mean that you just divest the responsibility to another level of government. It means that you sit at the table with them and also assist them if there is, if you want to call it that, a fiscal assistance that's required, because municipalities, unlike the provincial government, can only access their funds through property tax. They are very limited in that regard. As I said, unfortunately the government suggests it's going to provide the toolbox, but they just need some tools in that toolbox.

**2050**

**Mr Bisson:** I guess I have two comments to the member across the way. If the government is extremely proud of this legislation and feels strongly that they've really done a good service in drafting this legislation, I would expect the government to be up in the debate. What were seeing here again tonight is that it's the opposition that has to get up and debate these particular bills, while the government sits on its hands and says nothing. I have to say to myself, they are either disinterested generally in what this Legislature is about, or they don't think that debate—the exchange of ideas and how we amend debate—is important, or they have some kind of strategy that quite frankly is beyond me. I don't quite understand what two minutes in debate really did to accomplish the government's agenda. If it was to try to collapse the vote, they've missed. They've actually helped us. So I've just got to say to the government across the way, they have a really strange strategy when it comes to debating bills.

I want to say directly to the member across the way—and I have great respect for the member from Durham—I have no difficulty with the direction your government is taking on this bill. Nobody in this House has argued that we shouldn't be moving in the direction of trying to deal with brownfields. The difficulty is, unless there are the monetary mechanisms to deal with redeveloping brownfields, you can draft perfect legislation and it's not going to mean anything.

Will the private sector on its own, in a community like Timmins, move to the Pearl Lake ERG tailings pond and redo that into some sort of park, as it used to be, or some sort of commercial or residential development? The cost would be prohibitive. For that reason, the private sector is not going to go out and do it on its own. So if we're serious about redeveloping brownfields within communities, the provincial and federal governments have got to be at the table and we have to bring our cash in.

It's an exercise in communication strategy when you look at this bill because it really doesn't have the means that you need to get these projects moving.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I'm pleased to comment on the speech from the member for Durham. The member for Durham is a man of few words and when he speaks the entire government caucus and

indeed the House listen. I want to congratulate him for his insightful remarks on this important public policy issue. We're so privileged to have such a wise helmsman of his stature in our caucus.

I would also tell the member for Durham and indicate my strong support for initiatives to restore brownfield sites in urban centres and small towns and cities and villages around the province. I visited the member for Perth's constituency and he pointed one out to me in Stratford. I know it will benefit from a bill like this.

**Mr Tony Martin (Sault Ste Marie):** I just want to indicate my pleasure that at least someone across the way tonight has gotten up to speak on this important bill. I think it's important that people out there understand that when we sit here in the evening, it's recognized as another sessional day in this place and is counted in terms of debate on bills that come forward, even though it isn't a full day of activity in this place. It doesn't include with it any opportunity for the opposition to question the government on issues of import of that particular day, so it's a bit passing strange when you consider the need there is for due process on so much of what this government puts forward by way of initiative to deal with some of the very real challenges we confront every day as we go about our business.

When they bring forward pieces of legislation, as my colleague from Timmins-James Bay said, you would think they would be up on their feet explaining, defending and responding to some of the criticism or critique, shall we say, that's put on the table by members of the opposition, so that we might present to the public out there some information that they then can take and decide for themselves whether they will support this and do what it is that they need to do by way of either participating in the committee hearings or writing letters to the editor or speaking to the government or, at the end of the day, how they vote, come the next election.

This is an important piece of work. We on this side have said that we are going to support it. It's just unfortunate that the members across the way don't seem to think it's important enough to get up and give it fulsome debate.

**The Deputy Speaker:** The member for Durham now has up to two minutes to respond.

**Mr O'Toole:** I respect specifically the comments made by the member from Sarnia-Lambton, the Erin Brockovich on this issue. I respect her point of view. I have heard her in the estimates process relentlessly argue, and I commend her, on behalf of her constituents, as I am; as I am arguing that I have, for too long, seen these brownfield sites sit vacant, and no one had the courage to move forward to find solutions.

Some would say this is the first step. This government certainly is on record as having the courage to do the right thing and to move forward. This first step signals the long-standing issues of liability and finding solutions.

Minister Hodgson made the point earlier today on the Municipal Act that it deals with the whole issue of smart growth, if you want to really get down to brass tacks, of



intensification, of using those lots and pieces of property that have been dormant for years in Toronto and other communities, Sarnia-Lambton. The members for Timmins-James Bay and Sault Ste Marie probably have sites as well.

The Minister of Consumer and Social Services I think addressed it the best. He said that when I speak, I speak from the heart. I can sincerely say that those remarks mean a lot to me and certainly they will form part of the record, of my testament of serving in office here. But each member here really wants to find a solution. This is the first step. I think it's the right thing to do. Is it perfect? No. But the option to that is the do-nothing option. Members on the other side are familiar with that option, rather than taking on the difficult choices. We've chosen to move forward.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Martin:** I appreciate the opportunity tonight to participate in this debate.

**Mr Dunlop:** We did you a favour tonight, Tony.

**Mr Martin:** Yes, you did, and I appreciate it. I want to say how happy I am tonight to be speaking not long after my colleague from Toronto-Danforth who, I dare say, in this place is probably the pre-eminent spokesperson and fighter on behalf of the environment, even when we were a government. Some of the initiatives we brought forward, even though she wasn't the Minister of the Environment, were certainly driven by her and her compassion and commitment to these issues.

A lot of what she said in her speech this evening is something that many of us would do well to listen to and to remember, because in fact when we were the government between 1990 and 1995, we did an awful lot in the interest of greening the province, working with industry and communities to make sure that there were new investments, that communities were organized to take advantage of opportunities, to move forward those environmental industries. We were convinced as a government that there was a lot to be gained, a lot of wealth to be generated by moving aggressively in green industry and environmental industry, in working with industry to make sure they were doing all they could by providing them with the resources that they needed to upgrade their technology so that they could compete in a world that is more and more driven in that direction and so that Ontario would not fall significantly behind.

The member for Toronto-Danforth, I think, can take great pride and credit for pushing a lot of those initiatives, as well as, of course, my good friend and colleague the member for Algoma, Bud Wildman, who was the Minister of the Environment of that day and spoke so often of the need to develop industry, to create jobs, to make sure communities were viable and vital but that all of that was sustainable in the long haul, that the ecosystem was understood and protected in everything we did and everything we put money into, invested in, and that we partnered with the private sector in trying to push forward and to promote. That wasn't without tremendous

effort and great challenge by people out there who didn't agree with us, who perhaps themselves thought they were going to be put into a less competitive position by having to invest money in some of these new technologies, for having to clean up some of what they were doing, so they weren't putting polluted refuse into lakes and rivers and, in that way, contributing to the unsustainability of some of the industry that was out there.

**2100**

Most of those industries responded in a positive and constructive way and worked with us, such that at the end of the day they in fact did better, were making more money. They found that by investing in that new technology they were able to produce a better product more efficiently, and there were markets out there around the world that more and more were becoming concerned and interested in environmentally friendly product, that were looking for what they had to offer and were buying it, in many instances, over the product of competitors.

That's why tonight we in this caucus can stand and say that we support this bill. Anything that will move us to cleaning up some of the very difficult and challenging situations found particularly in some of our inner cities—I'm talking here not only big cities but small cities and towns—so they might encourage and attract and work with industry to set up shop and do it in a way that is environmentally sound and is located on property that hasn't been, over two and three generations, contaminated in some serious and significant way that could lead to further contamination of water systems and the ecosystem.

We're happy tonight to stand here, as my colleague from Toronto-Danforth did, and say that we support this bill. However, in supporting the bill, like so much else that this government puts forward, there are some problems. The main problem with this is that the government has not identified any significant resource of money to go to municipalities and communities to help them in this important work, to make sure that when they pass this legislation and people out there get excited about it and want to become involved and to support it, want to develop partnerships with the private sector to move some of this forward so we can have these new developments, that in fact the money from the provincial government will be there.

As a matter of fact, I am led to believe that there was a meeting not that long ago in the Hamilton area, a community that has moved to do some creative things where brownfield areas are concerned, and there the critique of this whole thing was that not only was there no money coming from the provincial government but there was no money coming from the federal government either.

That shouldn't surprise any of us, particularly when you consider the record of this government in the recent past, where they've gone out across this province, mostly in response to the very tragic circumstances of Walkerton, to challenge communities to upgrade their water and sewer systems so they are the best that's possible so we don't put at risk the lives of citizens any more after that

very difficult and painful experience of Walkerton. They came before the House and tabled some very tough regulations where water and sewer are concerned, and we thank them for that, because we think it's important that they do that; however, in then working with these communities, particularly the smaller communities in some of the northern and rural areas, in trying to get them to upgrade their systems, alas, again there just was not the money. The money wasn't there.

Mind you, they put in place programs. You spoke a few minutes ago, and so did my colleague from Toronto-Danforth, about the OSTAR program. We've heard a lot in this place over the last year to year and a half about a program called SuperBuild, where this government has taken all of the capital money that was available through mainline ministries and put it into a big fund. They're going to make decisions that would reflect a concern by this government for some of the priorities that they indicated by way of some of the legislation they've brought forward to move to correct some of the inefficiencies in infrastructure where water and sewer is concerned. But alas, here we are, almost into November of 2001, a year and a half into the announcement of this grandiose scheme to somehow make the investment of capital dollars in this province more efficient and more responsive to the people out there as they come forward with projects to be prioritized, instead of ministry by ministry now on the basis of the whole province, and yet we don't have one announcement to this date—nothing.

So the question that my colleague from Timmins-James Bay puts forward here tonight, which is, "Where is SuperBuild?" is a good question. Where is SuperBuild, and how are they going to ultimately make decisions? How are they going to prioritize, and will this legislation, the Brownfields Statute Law Amendment Act, be recognized in any way by some of that investment? I dare say that we'll have some difficulties.

I was talking to the minister last week when she came before the committee looking at estimates, and I asked her how we are to be confident, as we move forward with the heightened awareness and sensitivity that's out there on questions of the environment and water and how we deal with our waste and sewer, that she is going to make sure that voice, that concern, that priority is heard at the SuperBuild table. Is she herself going to be there? She says no. Is somebody else from her ministry going to be there? They say, "Well, no," but they will have put their projects forward. They, in partnership, she suggested, with the SuperBuild bureaucracy, will have made their case, and at the end of the day she said they were confident that the decisions that were made would reflect the very real concern that exists out there across this province where the environment is concerned, and where investing in clean water and proper maintenance of disposal systems is concerned, that in fact it would be reflected.

But when you stack that up against the demand that is now growing out there for capital investment across this province, because there hasn't been much to speak of

over the last couple of years in Ontario, you have to ask yourself, who is this genius, who has the genius in this SuperBuild organization to make the decisions?

We have a big demand for investment in health care. In my own community, we've been waiting for about two years now for a decision about whether we can move forward on a new hospital that was suggested by the restructuring commission. We, as a community, decided yes, indeed, we probably need a new hospital. We've gone out and are beginning to raise the money through a levy on citizens through the property tax collection system so that we'll have our portion of that money in place. We already have a couple of million dollars in the bank waiting for this government to make that decision. I dare say that's not unlike many other communities across the province that are waiting for announcements for millions of dollars in health care to provide for those new facilities, that new technology and new buildings that are going to be required. The education system, new schools; communities are waiting out there for new announcements for new education capital projects that they have on the books. I don't think there's a community you could go into that doesn't have two or three pretty major SuperBuild or OSTAR projects—engineering done, all the blueprints, studies and environmental assessments done—sitting before the government waiting for announcement.

2110

**Mr Levac:** As soon as there's an election.

**Mr Martin:** Exactly; that's my fear. My fear is that this fund is nothing more than the biggest slush fund we've seen in the history of this province that will be rolled out in due time as we move toward the next election to buy, cajole and win back the support of so many of the citizens of this province whom they've lost in the last six months to a year as the outcome, the fallout, the long-term result of the initiatives of this government become more and more obvious.

As it becomes more obvious, as we look toward a recession hitting this province, as the economy of the US softens and we in turn, having ridden that wave for a number of years now, begin to fall through the cracks that are beginning to appear, we begin to realize—people out there in communities, businesspeople, small business people, industries—that in fact this government has no capacity to respond to that. They've given the capacity to respond to challenges of any sort, but particularly the economy as we move toward a difficult time in that sense—this government has done away with the Ontario Development Corp. They've done away with the Northern Ontario Development Corp. They've changed the mandate of a number of other vehicles that were out there during the tenure of the Peterson and Rae governments that were very helpful to communities and to industries in stress, to help them over some turbulent times. Most of those vehicles are either gone or have had their mandate changed such that they're not accessible any more.

We wonder then, as a party in opposition here wanting to support this legislation to deal with the question of



brownfield sites in communities across this province, whether this government is willing to put its money where its mouth is because, as I said, the track record is clear on that. We haven't seen them willing to do that kind of thing.

In the few minutes I have left, I wanted to speak as well about an incidence of what I would consider brown-field that this government has known about for quite some time, that the Ministry of the Environment has known about for a number of years, and that this small community in northern Ontario cannot get this government to act on to do the right thing, to respond in a generous and helpful way to partner with this municipality to deal with a very troubling and difficult issue that confronts them.

Again, I spoke to the Minister of the Environment just last week before the estimates committee about this, asked her some questions. As a matter of fact, I had set up a meeting with her a couple of weeks ago to talk about this issue. When we finally got together, she dissed me off. She brought up all kinds of logistical and process issues that didn't ever allow us to get to the point of talking about the issue that I had come to talk to her about. So when I got the chance to have her for a couple of hours at the estimates committee, I put the questions. I got no answers, no satisfaction, no indication to me and, through me, to this community—Michipicoten, Wawa, 140 miles north of Sault Ste Marie—that this government understood the dilemma they were confronting and were willing to work with them to do some remedial work that was required.

I dare say that in comparison to some of the other brownfield sites that are out there that are going to cost somebody a significant amount of money if they're going to clean them up, the little town of Wawa, in terms of the money they need to get their job done, would pale in comparison. But if the way that this government has dealt with this small community faced by levels of arsenic in the soil, in the backyards of these residential properties, put there over the years because we had Algoma Ore and the sinter plant operating there and providing employment for a long period of time—because of that, there is arsenic in the ground.

The Ministry of the Environment didn't tell the people of Wawa about this even though they've known since as far back as the early 1970s that it was there, that there was a problem. It was only in 1999 that they sent a letter to the municipality to tell them they had contamination, concentrations of arsenic as high as 50 times the provincial guideline. As a matter of fact, the reports eventually supplied to the township at this time confirm that the ministry had been aware of high levels of arsenic contamination in and around the town for decades; it just hadn't tested private residential properties.

The report that was done and the study that was done, that the Ministry of the Environment really didn't lead in any significant or important way, indicates that in one part of the community we have 1,000 parts of arsenic per million in the soil, where the provincial guideline is 20.

So we're talking a significant arsenic problem in a small town in northern Ontario that's been hammered economically with the loss of its major industry. It was turned down by this government by way of requests for fibre so that they could attract a new mill into their community to create work. It was hammered by this government when it changed the rules around the taxation of hydroelectric facilities and left them short significant dollars. This government couldn't find in its arsenal the small amount of money that would be required to satisfy these people so that they could actually allow their kids to go out and play in the backyard because they had gone in with them in partnership to do the remedial work that is required.

If this is the way they are dealing with some of the very real problems that are a threat to human life, that have the capacity to affect the lives of young people for a long time to come—who knows, even my own life, because I lived there for quite some time. If they're not going to respond in some positive and courageous and generous way there, how are we to expect that they are going to put the money in, which they haven't indicated so far they're willing to, where these brownfield sites are concerned?

So I wrap up by saying to the House here tonight that we in this caucus will be supporting this legislation, as we always support good legislation. However, we're disappointed that the resources aren't there to actually provide the partnership that is needed to make sure it happens.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Dunlop:** I appreciate the opportunity to say a few words to the member for Sault Ste Marie. My understanding of the intent of the legislation is to give municipalities and government the opportunities to seek out these challenges in opening up some of these sites.

But I listened to the comments in the last few minutes about the arsenic contamination you said had existed since the early 1970s, and I'm curious why you didn't do something in the five years you were in power in that particular site when the Minister of the Environment was a northern Ontario resident; I believe it was Mr Wildman for a number of years. I don't recall you doing anything about it. But you're standing here tonight and criticizing this government, which is trying to pass good legislation.

In summary, I hope everyone understands that this is good legislation. This is important for the people of Ontario. We've discussed this for many hours of debate now, and I hope everyone will support this. I'd appreciate it if they would.

2120

**Mr Bruce Crozier (Essex):** Let's call this piece of legislation what it really is. It's a cop-out. There isn't enough money in this province to clean up all the brown-field sites there are. If we look at the key elements of this legislation, the environmental rules for cleanup are this: sites will be reviewed by the MOE staff and landowners, and they'll be provided with a site risk assessment. We know that the Ministry of the Environment doesn't have

enough staff now to enforce the legislation and regulations that are in place, so how are they ever going to be able to help with these rules for environmental cleanup?

There's reducing the risk of future environmental liability. New landowners and their lenders will not be held liable if they follow the prescribed MOE site cleanup. Then who is going to be responsible, if they aren't going to be? You have to go after those who polluted our environment in the first place. Get after those guys.

Municipal financial incentives: this is really a good one. Municipalities will be allowed to support redevelopment through such initiatives as suspending payment of municipal and education property taxes for a said period. Then who is going to have to pay? It's all these innocent taxpayers who had nothing to do with polluting this land who are going to help pay for it through incentives. You've got to get after the people who polluted it in the first place. You don't foist it off on everybody else. Call it what it is—

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** You'll bankrupt them.

**Mr Crozier:** I don't care if you bankrupt them. You go after the ones that caused it in the first place.

*Interjections.*

**The Deputy Speaker:** Order. You had your two minutes. You had your time. You're done.

*Interjection.*

**The Deputy Speaker:** Please take your seat. We're not going to debate this and we're not going to have it out. You will please remain quiet now.

The member for Timmins-James Bay now has the floor for up to two minutes.

**Mr Bisson:** How the former Minister of the Environment protests at the comments made by the member who just spoke before me. The point is, and that's what we're trying to say here from the NDP caucus, that we don't oppose the direction that the government is taking by way of this legislation. We generally agree with the direction that you're taking and much of what's in this bill. But the point we're making in this debate, and that's why we think it's important to keep this debate going in order to try to argue for the following, is that you need to put in place—you talk about giving the tools to municipalities to go out and deal with brownfields across the province in various municipalities, but you've not given them anything in the tool chest. You've given them a tool chest that has a bill in it that says you can go out and clean up the brownfields, but at the end of the day there's absolutely nothing inside the chest when you open it up. We're saying it's one thing to deal with what you guys would call the red tape of being able to bring brownfields back into some good form of utilizing that land again, but unless a municipality and the provincial government and the federal government are there with dollars, it's going to be difficult to have.

I ask the former Minister of the Environment to look at the communities he represents—and he knows very well, because I have the same kind of problem. Do we have brownfield problems? Yes. Will a private developer

come in to redevelop a brownfield on their own with this piece of legislation? Maybe. But the reality is that a whole bunch of them are not going to get redeveloped unless the provincial and federal governments are there with dollars to assist in the redevelopment. That's the point we're trying to make.

Don't stand here in the House and tell us how wonderful this legislation is and how it's going to change the face of Ontario when it comes to brownfield developments. When you really look at what's in the bill, it's basically mechanisms by way of legislation to make it happen, but at the end it's going to be a dollars-and-cents issue. We're saying put your money where your mouth is; otherwise it doesn't count.

**Mr Levac:** I wanted to finish up some of the points I was making in my first two-minuter, and within that I want to make this House aware of the good work that has been done by the ward 5 councillor in Brantford, who spearheaded and chaired the committee on brownfield sites that was modelled by AMO. They came to her and said, "Would you do some presentations on how to improve the legislation?" Some of those points that were made by the member for ward 5, where I grew up, Councillor Cheski-Smith, made it very clear that you had to come to the table with the liability. To the government's credit, when it was mentioned to them—and mentioned by the member from Wellington—they indicated, "We would move it from two years to five years," which was appreciated. The fact is that a lot of these brownfield sites cannot get developed in under two years, so they recognized that and stretched it out.

But here are the areas in which the councillor and the mayor—Councillor Paul Urbanowitz from ward 1, where a major fire took place in a toxic brownfield zone that was an emergency situation that used up all their funds. We need the government to create that special fund that's necessary to focus on those emergencies that take place in brownfields, such as the Globe property in ward 1. They've used up all the reserve funds that our municipality put together to fix up brownfields across the municipality, so they don't have money to do that.

What we are asking the government to do is acknowledge that they have a problem, that the legislation is not at its best and that we should be looking at those partnerships that we are asking the government to form. The liens: the province said they had dropped the liens. With further research, we found out that the liens were indeed not dropped. The federal government dropped theirs. Those taxes that were collected by the federal and provincial governments over the years while those companies were polluting, benefited the government. Now it is time to give some of that money back in a wholesale way to allow those municipalities to work. So I suggest there are things to do.

**The Deputy Speaker:** The member for Sault Ste Marie now has up to two minutes to respond.

**Mr Martin:** Thank you very much, Speaker. I want to thank the members for Simcoe North; Essex, who has now left the chamber; Timmins-James Bay and Brant for



participating in my time here this evening, giving some comment, challenging and being part of this very important debate. I have to say right off the top that, as I've said before—and as my colleagues who have spoken here this evening from time to time, the member from Toronto-Danforth and the member for Timmins-James Bay have said—we will be supporting this legislation. We will support this government in anything that it wants to do to promote and support and invest in a better and cleaner environment and cleaning up our communities so that we can attract, then, industry that hopefully will bring new technology and new thinking to the way we do our business and protect our environment.

Our only concern here—and it is a very real concern when you consider the projects that are out there today in front of this government for improvements to water and sewer infrastructure in communities—is that there will be no money, that there'll be no resources, that there will be no ability for municipalities to partner with industry in getting this kind of work done. I say to the government that if they want to prove me wrong and really want to send a signal out there, they would tomorrow get on the

phone and say to the town of Wawa, the community of Michipicoten, that they are going to, with them, do whatever is required to get rid of the arsenic problem they're facing every day now as they wake up and they send their children out to play, a community that has 50 times the provincial average of arsenic, done by study, in their soil. If the government wants to do the right thing, it would clean that up.

**The Deputy Speaker:** The floor is open for further debate.

**Mr Bisson:** Being that it is almost 9:30 of the clock, I move adjournment of the debate till tomorrow, while I still have the floor.

**The Deputy Speaker:** Do I take that as your intent to complete your speech the next time this bill is called?

*Interjection.*

**The Deputy Speaker:** That being the case, I will recognize you as having the floor.

It now being almost 9:30 of the clock, I adjourn the House until 1:30 tomorrow afternoon.

*The House adjourned at 2129.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Springdale		Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton Centre / -Centre	Spina, Joseph (PC)		Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton West-Mississauga /	<b>Clement, Hon / L'hon Tony</b> (PC)	Kenora-Rainy River	Gerretsen, John (L)
Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée		
Brant	Levac, Dave (L)	Kingston and the Islands /	
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC)
			Minister of the Environment / ministre de l'Environnement
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC)
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Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC)	Leeds-Grenville	
	Solicitor General / solliciteur général		
Dufferin-Peel-	Tilson, David (PC)		
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Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC)	London-Fanshawe	<b>Tsubouchi, Hon / L'hon David H.</b> (PC)
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	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
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	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		



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Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
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Northumberland	Galt, Doug (PC)	St Catharines	Bradley, James J. (L)
Oak Ridges	Klees, Frank (PC)	St Paul's	Bryant, Michael (L)
Oakville	<b>Carr, Hon / L'hon Gary (PC)</b> Speaker / Président	Stoney Creek	<b>Clark, Hon / L'hon Brad (PC)</b> Minister of Transportation / ministre des Transports
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Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor-St Clair	Pupatello, Sandra (L)
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Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York North / -Nord	Kwinter, Monte (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York South-Weston / York-Sud-Weston	Munro, Julia (PC)
		York West / -Ouest	Cordiano, Joseph (L)
			Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Legislative Assembly  
of Ontario**  
Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**  
Deuxième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Tuesday 30 October 2001**

**Mardi 30 octobre 2001**

**Speaker**  
Honourable Gary Carr

**Président**  
L'honorable Gary Carr

**Clerk**  
Claude L. DesRosiers

**Greffier**  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 30 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 30 octobre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### STUDENT PROTEST

##### **Mr John Gerretsen (Kingston and the Islands):**

Last Tuesday, a group of 100 students from Kingston Collegiate and Vocational Institute, the oldest high school in Ontario, engaged in a peaceful demonstration in front of my constituency office, as well as in front of their school. The students rightfully pointed out that they had been made victim of Mike Harris's policy of profit over people.

As they pointed out in the pamphlet produced for the occasion, the rate of child poverty has doubled in Ontario in the last 10 years, the Harris government has cut welfare rates by 22.7%, tenant protection has largely been eliminated, water testing has been privatized and environment funding cut in half, with the tragic events in Walkerton being one of the results.

They further stated that the cuts to education have resulted in larger class sizes, reduced support staff for schools and overworked teachers having less time for students. They also pointed out that the rapid rise in tuition fees for university and college and deregulated programs have made post-secondary education inaccessible to many high school graduates.

The students also pointed out that Mike Harris broke his promise that home care would be available before hospitals were restructured. As you know, Speaker, our access centre is over \$3 million short, so our sick and elderly who need home care cannot get the necessary nursing they so desperately need. As their pamphlet so accurately stated, like education, health care has been made the victim of massive provincial cuts, leaving the people of Ontario with a manufactured crisis of a shortage of beds, nurses, doctors, equipment and clinics.

I would like to congratulate all the students involved, led by Jordan Bell, for the very constructive manner in which they expressed their issues and concerns. I challenge the government to listen to these young and eloquent students and adopt policies that will really deal with the problems facing many in Ontario today.

#### BOTTLING PLANT

**Mr Joseph Spina (Brampton Centre):** "It is amazing what you can get for \$150 million." Those were the

words of Lowry Kline, vice-chair and CEO of Coca-Cola Enterprises Inc, as he unveiled the new Coca-Cola bottling plant to the Brampton community last Thursday.

This 630,000-square-foot plant is Coca-Cola's new production and distribution centre, making it the single largest investment ever made by the company in Canada. Sitting on 62 acres of land, at the epicentre of the Golden Horseshoe, we joined with over 400 suppliers, Minister Tony Clement and MPP Raminder Gill.

Jarrat Jones, senior VP, said one of their primary goals is to begin a program in early 2002 that will link the bottling facility with schools in Peel. Coca-Cola will bring schoolchildren to reinforce math and science, so they can see first-hand that what they're learning today in school really does apply to the real world. In fact, Jones said, the company even used curriculum consultants to ensure this program will meet their needs.

On behalf of the Ontario government, congratulations to Jarrat Jones, Chief Operating Officer Tom Barlow and everyone at Coca-Cola. Welcome to Brampton. All members can join me in a toast to Coca-Cola.

#### CHILDREN'S MENTAL HEALTH SERVICES

**Mr Bruce Crozier (Essex):** My statement is for the Minister of Community and Social Services. I cannot express my thoughts better than a letter to you from a concerned constituent, Robert O. Schmidt. In part, the letter reads:

"It is with great disgust that I watch the lack of support our provincial government provides to the children and families of Windsor and Essex county who suffer from children's mental health difficulties. I have read the studies of services provided in other parts of the province for the families and children who suffer the scourge of children's mental health difficulties and I cannot understand the reason for the lack of funding and therefore services provided to this community....

"I wonder what is the purpose of our elected leaders. Is your purpose only to serve those that support you, as if the 'Family Compact' never left town. I ask you, 'Is our government to serve all persons of the whole province or only the select few who are deemed worthy?'

"In the Windsor-Essex county area we have lost a significant portion of a valuable service at Maryvale Adolescent and Family Service. This facility assists children and youth who experience mental health problems. By reducing the aid to the children and families



who suffer the direct effects of children's mental problems you and we as a province ensure the perpetuation of these difficulties for future generations....

"It is with concern that the money you and therefore we as a province do not spend today to deal with children's mental health will be guaranteed to be forced to pay out at a significantly higher rate as these children and youth enter the justice system."

I agree with Mr Schmidt's comments and, Minister, you should agree with them too.

#### HOUSING CO-OPERATIVES

**Mr Michael Prue (Beaches-East York):** My statement today is about the Co-op Housing Federation of Toronto awards which are taking place on Thursday evening. Each year for the last number of years, the Co-operative Housing Federation of Toronto has celebrated the success of co-operative housing by honouring its member co-ops for their achievements. This year's awards ceremony will be held on Thursday night, November 1, and I am looking forward to attending.

The federation staff has spent considerable time and effort in order to ensure a successful evening. This year, the awards for innovative community ideas will be presented to co-ops across the GTA. These awards range from creative newsletter publishing and diversity issues to international co-operation and development.

Without giving them away, because it's a secret—the award winners don't know yet who they are—I want to personally congratulate and thank all the finalists, the federation and the people who work so hard to support co-operative housing as one of the most viable alternatives to providing decent, safe and affordable housing in the city of Toronto and across the province, especially now, when issues of affordable housing do not appear to be anywhere on the radar screen with this government.

I want to again thank them very much for keeping the issue front and centre before us and holding out hope for the people of this province that they will again have decent, safe places to live.

#### BOB BENSON

**Mr Bart Maves (Niagara Falls):** The Ontario government believes that every child benefits from a positive sport experience. It is well established that involvement in sport and recreation improves health, creates positive behaviours, builds communities and increases economic growth.

On Friday, October 12, I had the wonderful privilege of awarding the 3M Community Coach Award to Bob Benson, who was nominated by the Niagara Falls Girls Soccer Club. Mr Benson has been involved with soccer all of his life. It is obvious that he truly enjoys this game. He has been involved as a player, as a coach and as an administrator. For the past two years, Mr Benson has been the club president of the Niagara Falls Girls Soccer Club, and previously held other positions, including vice-president.

Mr Benson has been instrumental in creating two leagues: a league for ladies over 30 and a league for young ladies over 16. He has been coaching for over 25 years, originally in St Catharines, then with the Niagara Falls Boys Soccer Club, and for over 12 years with the Niagara Falls Girls Soccer Club. He has taken two teams to the Ontario Cup finals, and on September 15, 2001, for the first time ever, a girls' soccer team from Niagara Falls reached the finals.

I congratulate Mr Benson on being one of the first recipients of the Ontario 3M Community Coach Award. Thank you, Mr Benson, for your outstanding contribution to sport in Niagara Falls.

1340

#### HOME CARE

**Mr Michael Gravelle (Thunder Bay-Superior North):** For the last five months, members from this side of the House have been pleading with the Minister of Health to provide increased funding to our home care sector. While our cries for help have so far been unsuccessful, it's vitally important the minister understand that this is a matter we will not allow to fade away. Too many people are being denied the care they need to stay at home, and as a result the much more expensive hospital sector is being forced to take up the slack.

If the minister will not listen to all of us in the House who are fighting for our constituents, it is my hope today that he will take more seriously the front-line professionals in the medical field who have to deal with the daily fallout of a short-sighted funding cutback.

I'm going to send the minister a copy of a letter that all the doctors of the Marathon Family Practice have written, calling on him to provide the needed funding. They are concerned about the people they serve in the communities of Marathon, Pic River and Pic Mobert. They point out in no uncertain terms that the lengths of stay at Wilson Memorial General Hospital have increased because of the limited access to home care and nursing support. They also confirm that those patients who have been able to go home from hospital but still have some needed level of nursing care have to return to the hospital to use the emergency room to access these no longer available home-based services.

Minister, this is short-sighted, costly and in fact can be dangerous for those who must travel over northwestern Ontario roads to reach the hospital. How much more evidence do you need that your cutbacks to home care must be reversed? You must listen and respond to the dedicated physicians in Marathon. They know what the needs are in their communities and you must not ignore their plea.

#### BRAIN TUMOURS

**Mr Bob Wood (London West):** For many years now October has been designated as Brain Tumour Awareness Month in Canada. It has also been proclaimed in many

cities across Canada. Brain tumours, a devastating disease, strike people of all ages, from newborns to seniors across all economic, social and ethnic boundaries and affect people in all walks of life. Brain tumours are the most common cause of solid cancer in children.

Early detection and treatment are vital for a person to survive brain tumours. Brain tumour research, patient and family support services and awareness among the general public are essential to promote early detection and treatment of brain tumours. Each year approximately 10,000 Canadians of all ages are diagnosed with a brain tumour. Brain tumours are the second leading cause of cancer death in people under the age of 20 and the third leading cause of cancer death in young adults between the ages of 20 and 39.

As members may know, my bill to officially designate October as Brain Tumour Awareness Month in Ontario is before this House for third reading. I've received over 125 letters of support from across Canada for the bill. I hope I can count on all members of this House to support speedy passage of this bill so that the Brain Tumor Foundation of Canada can get more support for their very important work of educating the public to the early warning symptoms of brain tumours. Let's make October 2002 the first official Brain Tumour Awareness Month in Ontario.

#### AGRICULTURAL LAND

**Mr James J. Bradley (St Catharines):** Every month in Ontario thousands of acres of farmland in natural areas are gobbled up by unwise and unnecessary development. While municipal, provincial and federal politicians invariably run on platforms that call for the preservation of prime agricultural land and the protection of environmentally sensitive areas, when the developer comes knocking, all of the resolve to act in the long-term interest of the people melts away as the arguments for short-term economic gain are advanced.

Agricultural lands containing good soils and blessed with favourable climatic conditions are sacrificed on the altar of reckless development. When will those in decision-making positions begin to understand that once the farmland is paved over and the natural areas destroyed, they are gone forever?

In Niagara, for instance, there are some who will not be satisfied until every last centimetre of land from the edge of Toronto to the border of Fort Erie and from the shores of Lake Ontario to the beaches of Lake Erie is covered with asphalt, and until they sap the strength and vitality of the city core in the interest of big-box development on the edge of the municipality.

What is needed is a strong, comprehensive provincial Planning Act that designates prime agricultural land and environmentally sensitive areas as off limits to development. Without provincial leadership and foresight, a valuable and irreplaceable heritage will be lost for future generations of Ontario residents.

#### HALLOWEEN

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My statement today is on Halloween. As you know, tomorrow is Halloween and many young ghosts and goblins will be coming to our doors seeking treats. In my riding and all across Brampton, Block Parents and the Rogers Pumpkin Patrol will be keeping a vigilant eye on our young trick-or-treaters to ensure this evening remains fun for all. We should all work together to ensure that Halloween is safe for our children.

Today I would like to offer just a few reminders to parents. Our children need to see and be seen. Remind your children to stay in well-lit areas and only visit homes that have their outside lights turned on. Ensure the children wear face paint instead of masks and non-flammable, brightly coloured costumes.

Caution is the key. We should remind our children that under no circumstances should they enter a stranger's home. As drivers, we should take extra time to slow down and be extra careful when we're returning home. We must also keep watch for any suspicious behaviour in our neighbourhoods and immediately report it to the police.

Parents seeking more information can visit my Web site, [www.ramindergill.com](http://www.ramindergill.com). They can also visit the Wal-Mart store at Bovaird Drive and Highway 10 in Brampton this evening, where the Brampton Safe City Association will be handing out safety information. By taking a few simple precautions, we can help ensure that our children have a truly safe and happy Halloween.

#### VISITORS

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: I'm sure all members in the House will join me in welcoming, in the east gallery, Mr and Mrs Vander-made. They are the parents of our one-block-away Chadd, who is our page. They, with his sister, who's younger but taller, are in the gallery today to welcome Chadd as a page.

**The Speaker (Hon Gary Carr):** We welcome our guests.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr Steve Gilchrist (Scarborough East):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 109, An Act to enhance the security of vital statistics documents and to provide for certain administrative changes to the vital statistics registration system /  
Projet de loi 109, Loi visant à accroître la sécurité des



documents de l'état civil et prévoyant certaines modifications administratives au système d'enregistrement des statistiques de l'état civil.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### HIGHWAY TRAFFIC AMENDMENT ACT (STUDDERED TIRES), 2001

#### LOI DE 2001 MODIFIANT LE CODE DE LA ROUTE (PNEUS CLOUTÉS)

Mr Bartolucci moved first reading of the following bill:

Bill 119, An Act to amend the Highway Traffic Act in respect of studded tires / Projet de loi 119, Loi modifiant le Code de la route en ce qui concerne les pneus cloutés.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Rick Bartolucci (Sudbury):** This bill amends the Highway Traffic Act. It allows a motor vehicle to use studded tires that conform to prescribed standards and specifications, and those vehicles may be operated on a highway in the part of the province prescribed by regulations as northern Ontario. It may also be operated on a highway anywhere in Ontario if the address of the owner of the vehicle is in northern Ontario.

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## STATEMENTS BY THE MINISTRY AND RESPONSES

### COUNTERTERRORISM MEASURES

**Hon Michael D. Harris (Premier):** September 11 was a wake-up call for governments the world over. It was a reminder that we cannot take cherished freedoms and security for granted, that we must keep working to protect the peaceful and tolerant society that we've created.

This is a complicated time in our history. It's a time when people need their government to lead decisively but also fairly. It's a time when people need reassurances of safety but also guarantees of privacy. It is a difficult time. But it is above all a time for action.

I want the people of Ontario to know that their government is moving forward with tough new counterterrorism measures. I want them to know that we're working hard to keep Ontario the peaceful and prosperous place that it has been for the past six years. We must not let these or any other criminal acts stop us from living our daily

lives. We cannot respond to a threat to our free and open society by abandoning its principles, and we cannot, and will not, respond to terror by living in terror.

Since September 11, our government has acted swiftly and decisively. We began immediately, within hours of the attacks, to offer our neighbours assistance and expertise. Days later, we announced \$3 million to help families of Ontario victims of these attacks. On September 24 in this House we announced a number of steps to protect the safety and security of Ontario families. On October 1, I announced accelerated tax cuts to help keep our economy growing, and I also announced the appointment of two new security advisers, former RCMP Commissioner Norman Inkster and retired Major General Lewis MacKenzie, to give us advice on how to further strengthen Ontario's security. More recently, on October 11, we introduced legislation that would increase the security of vital documents.

Today I'm announcing four new measures that will help keep the people of our province safe.

First, our government will provide \$4.5 million to create a new rapid response unit of the Ontario Provincial Police. The unit will be specially equipped to combat terrorist threats and provide protection for our nuclear facilities and water treatment plants.

Second, to help stamp out terrorist activity in Ontario, we will invest \$3.5 million in antiterrorism units that will proactively work to investigate and track down terrorists and their supporters.

Third, we will give our front-line police officers the necessary equipment to respond to chemical, biological and other kinds of attacks.

Fourth, we will host a counterterrorism summit to allow the best minds in law enforcement and emergency services to share ideas and develop new strategies.

Tomorrow the Solicitor General will provide more details on these new initiatives and announce further steps that our government is taking to prepare our province for emergencies.

The Minister of Economic Development and Trade will also address the House tomorrow regarding some of the steps we have taken to keep our economy strong during this difficult time.

On November 6, the Minister of Finance will deliver the fall economic update, which will assure the people of Ontario that the fundamentals of our economy remain strong.

Our government is determined to protect the economic gains that we have made over the past six years, and we will continue to work hard to normalize trade along our border. We will co-operate with the federal government as well as American governments to develop an integrated border strategy and a secure perimeter that will ensure both Ontario's security and the free and timely flow of goods.

We will also continue to strengthen Ontario's security. We will continue to work with our municipal and federal partners to protect our citizens.

It is the responsibility of every government at every level and of every police force in every jurisdiction to ensure a decisive victory in the war against terrorism. It is the responsibility of this House to keep the people of Ontario safe, the province's economy competitive and to keep its future secure.

**Hon David Young (Attorney General, minister responsible for native affairs):** Our government's response to the appalling events of September 11 was immediate and continues to this day. As the Premier stated earlier, in the aftermath of the attacks we provided \$3 million to help families whose loved ones were victims of the attack.

Further, we established a victim response team and a 24-hour response line, a help line drawing on the skills and expertise of staff from Ontario's Office for Victims of Crime, an agency of my own ministry. These highly committed individuals have helped families respond to any issues that they have faced. These issues include financial assistance, travel, meals, trauma counselling and, sadly, funeral arrangements.

Our government hopes that all these efforts are a source of support and a source of comfort to those who are personally affected by this tragedy. While Ontario is still mourning the lives lost on September 11, our government has not lost sight of the fact that one of our most important duties is to protect our province and its people. To that end, my ministry is planning to undertake a number of initiatives to help ensure our security, help us respond to incidents occurring within our province and provide further assistance to victims.

I would like to express my growing concern about the rash of anthrax hoaxes in Canada. In recent weeks, we have all seen and read of bioterrorist scares. In fact, just last week in my own office we were the subject of just such a scare. While we were thankful that the scare at the Ministry of the Attorney General turned out to be a false alarm, these despicable acts of cowardice are diverting emergency personnel from true emergencies and, as a result, are putting the lives of innocent individuals and the personal safety of Ontarians at risk.

Let me be clear: our government will not tolerate these hoaxes. We are resolved to do everything in our power to bring the perpetrators of these hoaxes to justice. I am pleased to announce that my ministry will vigorously prosecute hoaxes to the full extent of the current law, and we will seek significant penalties for those who engage in such acts.

As part of our response, my ministry will be closely monitoring all cases where hoaxes occur. Designated crown attorneys will receive specialized training on terrorism-related issues. Senior prosecutors across Ontario will coordinate all terrorism-related issues, including the prosecution of these hoaxes. Any acts that threaten the safety and security of the public, including threats to justice facilities and personnel, will be taken extremely seriously, and such cases will be vigorously prosecuted.

I have urged Ottawa to create a new Criminal Code offence to deal with perpetrators of hoaxes, hoaxes such as bomb threats and anthrax. Officials from the Justice Department in Ottawa have responded positively to our proposal, and I sincerely hope that Minister McLellan will act quickly to implement these much-needed changes to the Criminal Code. This measure would send a much-needed message that perpetrating such a hoax will not be tolerated in this country. We are also demanding that the federal government ensure that the proposed penalties for terrorist crimes are stiff enough to punish convicted terrorists and to protect the public.

Today I am pleased to announce that we are establishing a counterterrorism task force. The task force will consist of crown attorneys who will provide expert advice on the enforcement and prosecution of crimes related to terrorism. They will aggressively prosecute terrorist crimes.

We will also be looking at a means of cutting off the lifeblood of terrorism, and that of course is money. I will be working with my colleague the Minister of Consumer and Business Services to review provincial laws governing charities to ensure that organizations are not contributing to terrorism. The review will look at a range of solutions, including revoking corporate or charitable status and/or freezing a charity's assets.

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In times of great tragedy and personal loss, victims' families should not have their government putting obstacles in their way during the healing process, during a time when they are trying to bring closure to their grief. For that reason, my ministry also plans to do more to help the families of Ontario's victims. We plan to remove legal obstacles to settling estates. I will be introducing legislation in this session to streamline the process for obtaining a declaration of death. A simplified declaration of death will make it easier to probate wills, make insurance claims and conduct other important legal business.

In addition, I will be proposing amendments to the Executive Council Act that would allow us to extend certain court deadlines so that any disruptions caused by an emergency do not prevent the people of Ontario from having access to their justice system.

We will be living with the consequences of September 11 for years to come. The events of that day opened our eyes to the extremes to which terrorists are prepared to go. However, our government and the people of this great province are resolved to fight terrorism and protect the rights and freedoms that make us who we are. By enhancing Ontario's state of preparedness, we will be helping to ensure that this province will remain a safe place, a place to live, a place to work and a place to raise a family.

#### TOURISM

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I rise today to join Premier Harris and Attorney General David Young to report back to the



House on the Ministry of Tourism, Culture and Recreation's response to the horrific terrorist attacks of September 11. We were all terribly shaken by the acts of terrorism in New York City, Washington and Pennsylvania. Make no mistake about it: it was an attack on all of us as well. To our friends and neighbours south of the border I offer my deepest sympathies.

International terrorism has led to an international decline in tourism, and Ontario is not immune to that decline. Ontario's hotels, restaurants, attractions and casinos are facing new and very real challenges. My main message to tourists is, don't stay in your homes for fear of travel. That lets the terrorists win. Get out and continue to do and enjoy all there is to see and to discover in the province of Ontario.

On several occasions I've met with tourism leaders from across the province. The consensus around the table was that we were not going to sit on our hands; we were going to fight back and boast about tourism in this province. We agreed that it is now more important than ever to market and promote all there is to see and do in Ontario. So, Mr Speaker, I'd like to provide you and the members of the Legislature with an update on the actions taken by my ministry since September 11.

On October 11, I announced that the Mike Harris government would invest an additional \$4 million into a new, aggressive marketing campaign in our domestic and traditional US border markets, a 35% increase in those markets. For the next 28 weeks, Ontario will be proudly promoted using a variety of media, including radio, TV, print, direct mail and e-marketing both inside this province and outside.

We have set up strategic partnerships with Niagara and Windsor to bring industry dollars and partnership to the table to extend the reach of the province's marketing dollars, and more regional partnerships are to come.

We also wish to establish confidence in the industry in the regions. We've moved ahead with the full construction phase of the new state-of-the-art, world-class Casino Niagara, as well as introducing a wine and culinary tourism strategy to help promote that growing niche tourism market in this country.

As well, immediately after the events of September 11 we extended the hours of operation at our travel information centres and our 1-800-ONTARIO line to help travellers who are stranded and to give up-to-date information on issues with visiting this country. We continue to provide up-to-date border crossing information through our travel information centres and our 1-800-ONTARIO line, as well as our Web sites. Since September 11, I've also released weekly bulletins with up-to-date information to everyone in the tourism industry so they can adjust their plans accordingly.

I have met with the federal minister responsible for tourism, Brian Tobin, and called for aggressive federal support for Canada's tourism industry. As well, I have spoken with my counterparts from New York state and Michigan, Brian Akley and George Zimmerman, and we agreed that it is imperative, now more than ever, to work

together to maximize our binational opportunities such as the Doors Open heritage tourism opportunity in our border areas.

All of our efforts to attract more visitors to Ontario and enhance our binational tourism opportunities will be in vain if our tourists run into a wall as they try to cross our border. I want to congratulate Premier Harris for his leadership in calling for a harmonization of rules and coordination of procedures to create a North American common security perimeter.

As I have mentioned, the tourism industry has not been immune from the impacts of September 11. What's at stake? It is estimated that in 2000, the tourism industry generated some \$17.5 billion in expenditures and employed almost half a million Ontarians, and was Ontario's sixth-largest export industry. Tourism accounted for 43% of Canada's international visitors, and many of those visitors were of course Americans. The impact on jobs and investment in hitting that wall would be tremendous.

There is no doubt that in the near future a fence will be built. A war on terrorism has commenced, and today the view of constituents in North America is that safety and security are of paramount concern. So as Ontarians and as Canadians, we have a choice to make: do we want to be inside or outside that fence? I'd much rather be inside that fence.

So I join with my Premier and my colleagues in encouraging our federal governments to work together to harmonize our customs and immigration procedures. It is absolutely crucial in order to preserve and build our borderland economies. In Ontario we have world-class attractions, we have a competitive marketing plan and we're ready to boast to the world about all there is to see and do in the province of Ontario. With a secure, coordinated, efficient border, I believe we'll be able to attract even more visitors than ever before from the United States and beyond to build a strong tourism industry, not only today but well into the future.

## COUNTERTERRORISM MEASURES

**Mr Dalton McGuinty (Leader of the Opposition):** I listened with great interest and was pleased when I heard that the government was going to be addressing a matter of the utmost gravity, which is the longing felt by our working families, and indeed our businesses, for a greater sense of security and stability in our province. I hoped that there would be something of substance in these announcements. I hoped that the government had come to understand that it was going to take more than newspaper ads, tax cuts for corporations and expressions of concern and condemnations of terrorism and terrorists. I hoped that there would be considerably more than that, but this is pretty thin gruel.

The Premier in particular tells us that he's going to be offering some further assistance to the Ontario Provincial Police. We support that; we've been talking about that for quite some time. They talk about new equipment to

help our front-line police officers contend with the new challenges presented by chemical, biological and other kinds of attacks. We support that; we've been talking about that for quite some time.

It has been 48 days since the horrific events of September 11, and what has this government done—I mean in a real and substantive and positive way—other than running newspaper ads, expressing concern and condemning all things connected with terrorism? The fact of the matter is that they have done very, very little. On the other hand, two weeks ago now, we put before this Parliament and the people of this province a substantive Ontario security plan. It is specifically designed to inspire consumer confidence and to provide our families with the knowledge that this government could be and should be acting in real and positive ways to improve security measures in their communities. That's what our plan is all about.

This government has said that they're committed to \$1 billion in infrastructure expenditures. That is found in their last two budgets. This money is not being invented. They said it was there. They committed to do it. The problem is all they've invested in infrastructure is \$14 million. We say, take that \$1-billion commitment and begin to make those investments, and begin to make them now.

I know what the government has in mind. They have in mind to stockpile these commitments, cut cheques and hold photo-ops much nearer the election. But do you know what? These are not ordinary times, and it's important for this government to assume responsibility, to do the right thing at the right time. Now is the right time to make those investments.

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If we were to invest these monies as they are in fact dedicated, if we put money into our bridges, our roads, our water infrastructure, our schools, our colleges and universities, and our hospitals, not only does that create construction jobs and spinoff jobs, do you know what else it doesn't do? It doesn't compromise our fiscal flexibility in the future, which is unfortunately exactly what this government's response to this economic challenge is. They're saying, "Why don't we cut corporate taxes by another \$2.2 billion?" Our corporations are already competitive. They are already profitable, those that are designed as beneficiaries of this tax.

We believe what we should be doing is making these infrastructure investments today. In addition to that, we think we should be dedicating 10% of those monies which this government has committed but refuses to invest. Take 10% of those monies—that's \$100 million—and make those available to our municipalities, make them available to those municipalities that are struggling under some of the new challenges that are being created by the events of September 11. Some of them are concerned about protecting their water treatment plants. Some of them are concerned about protecting their courthouses. Some of them are concerned about the fact they don't have enough police officers or

firefighters. We heard some very specific concerns expressed by the mayor of Toronto on the matter of firefighters recently.

There are some things that can be done during these trying times, and we're going to need more than pap and drivel and very thin gruel. We need matters of substance and we need real leadership. We've put forward a positive plan. All this government has to do is take our plan and run with it.

**Mr Howard Hampton (Kenora-Rainy River):** We have heard from the Premier and a couple of his cabinet ministers their details on what they believe they're doing or what they want people to believe they're doing to tackle the issue of terrorism. I actually want to go through a couple of fronts on this issue.

The first issue I want to raise is bioterrorism. It was interesting today to read in some of the larger newspapers that the issue that is worrying scientists is not so much anthrax, which can be treated with antibiotics; the issue that is bothering a lot of scientists and lot of people who worry about bioterrorism is the fact that a new strain of E coli could very easily be used to contaminate major parts of the food system or to literally create a toxic atmosphere across a broad spectrum of the food system.

What is interesting about that is that while scientists elsewhere in the world are worried about the use of a new strain of E coli to inflict that kind of bioterrorist damage, this government is laying off its very microbiologist expert who has an international reputation in that field.

The other issue that was interesting to note in the media today is that a lot of people who think about the issue of terrorism and bioterrorism are concerned about how new superbugs, bacteria that are resistant to antibiotics such as penicillin, could be used in a bioterrorism campaign. As I say, people in other countries are worried about this. What is this government doing? It's laying off the very microbiologist in this province who has supervised the research on detecting and addressing new superbugs.

The Premier says he's going to hold a summit on counterterrorism. That may be productive, but I want to point out to people across Ontario that at this very time this government is laying off an internationally respected scientist who just two years ago helped to coordinate and develop a conference on how to deal with emerging forms of bioterrorism. Go figure. For any government to come to this Legislature and say it's taking meaningful steps to deal with the threat of terrorism when meanwhile it is laying off the very scientific experts who are at the forefront of this and who are being sought out elsewhere in the world makes absolutely no sense.

Another issue the government referred to was the harmonization of immigration and customs with the United States. I merely want to point out for people across the province that the United States has not exactly had a very successful immigration and customs program. The United States has spent billions of dollars over the last 20 years on the Mexican border. They have employed no less than 16,000 customs officers and border



patrol officers, apparently for the purpose of keeping illegal Mexican immigrants, as they term it, out of the United States.

What has been the result of that? The estimate is that there are close to one million illegal Mexican immigrants entering and staying in the United States every year. In fact, Spanish-speaking immigrants have become the largest single ethnic group in the United States.

Is it now the policy of the Ontario government that they want to adopt an immigration and customs procedure that has been singularly ineffective, one of the largest leaks in the world? I want to say to the Premier that we are not interested in becoming the 51st state and we are not interested in giving up our own independent capacity over immigration and customs.

Finally, let me say there is an economic component to this. Premier, you know that your accelerated tax cuts are not going to address that. What is required to re-create consumer confidence is a reduction in the sales tax. That's what you need to do if you want to create some security in our economy.

## ORAL QUESTIONS

### ONTARIO SECURITY FUND PLAN

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Finance. Minister, by way of my earlier comments in response to the statements made by representatives of the government today, you will know that it is my considered opinion that your government has done precious little when it comes to shoring up a lagging sense of security on the part of our families and indeed on the part of our businesses. Two weeks ago, we proposed the creation of an Ontario security fund. If we dedicated to our security just 10% of the \$1 billion that you have promised but not spent on capital, \$100 million would be available for projects to make our province even safer, and it wouldn't cost the budget an extra cent.

Minister, I offered this plan in a non-partisan effort to increase security for our families. Why have you failed to act on our plan?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** With respect to the Leader of the Opposition, the best protection we have in Ontario is the prudent fiscal management and planning that has been done over the past six years under the leadership of the Premier, the fact that we have had three balanced budgets in a row, the fact that we have low competitive taxes, and the fact that we have prudent fiscal planning with a substantial reserve so that we have a strong, resilient, diverse economy in Ontario.

That's not the kind of thing that can be done overnight. That's the kind of thing that can only be done with prudent decision-making and planning and keeping commitments over the period of six years, which this

government has done under the leadership of Premier Harris. We have that solid foundation.

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**Mr McGuinty:** Minister, what was that? I asked you a question specifically about what you're going to do about my specific proposal to help shore up security in Ontario and you give me some ideological pap from years gone by.

Our families and our businesses need much more than that from you. You want the big job, you're going to have to start acting like you deserve it. We put forward a specific plan that would not cost the budget an additional cent. It talks about investing in infrastructure and about setting aside 10% of the \$1 billion that you've committed but refuse to spend because you're saving it for election purposes. It talks about setting up a separate Ontario security fund. Those are practical, they are meaningful, they are relevant, they are substantive and they will be effective. Why have you not adopted it?

**Hon Mr Flaherty:** As the member opposite knows, in terms of the economic security the Minister of Finance is engaged with, the Premier announced accelerated tax cuts that were in the budget from May 9 and were to come into effect on January 1. They're now going to come into effect on October 1. They deal with capital, the capital tax, with corporate taxes and with personal income taxes.

I can also tell him that in my discussions with the federal Minister of Finance and with the other provincial and territorial ministers of finance on Sunday in Ottawa, the consensus certainly was that we ought not to move into deficit financing. I don't know if you share that view. I rather doubt the Leader of the Opposition shares that view with the federal finance minister, but the federal minister, certainly, and the other provincial and territorial ministers feel that the key now is not to abandon what we've done, not to abandon the prudent fiscal management we've worked on so hard to accomplish the solid foundation in Ontario; rather to stay the course, not to run deficits and to continue—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

**Mr McGuinty:** Minister, it is time to take that tired, old, one-trick tax-cut pony out to the glue factory. Its day has come and gone. We need new ideas. We need innovation. We need real leadership. You, sir, are not providing that.

One more time: we talked about a specific, substantive, positive proposal. It doesn't cost the budget an extra cent. What it means is that we will invest in infrastructure today, not later near election time when it serves your political purposes. It also means we take \$100 million and we make that money available to our municipal partners, our cities and towns that are struggling with how to implement new security measures to make their people in their communities feel safer.

What I'm asking you to do, Minister, is instead of pursuing that ideological pap, which is meaningless today, especially given these circumstances, why won't you pursue this positive plan?

**Hon Mr Flaherty:** I can assure the Leader of the Opposition that if I decide to take leadership lessons, I won't call him.

With respect to capital spending in the province, I heard the Leader of the Opposition say just a few minutes ago in this House that the capital investment currently in this province by this government is \$14 million—patently wrong, not even close to the facts. The facts are that more than \$8 billion of investment has been made on the capital side by this government. All those cranes around Ontario now, at our hospital sites, at our colleges, at our universities, all providing stimuli to our economy—all of that because of prudent decisions that were made over the past few years, not last-minute knee-jerk ideas like you come up with.

### HEALTH CARE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Health. I am very interested in some of the proposals and resolutions put forward by the youth wing of your party, but I think what Ontarians are more interested in are your opinions about some of the resolutions put forward by the youth wing in your party. On health care, they say, "A parallel public-private health care system, better known as a two-tiered system, is necessary to relieve the overstressed public system." They go on to say, "Many of Ontario's hospitals should be privatized and the construction and operation of new private hospitals should be encouraged."

You will understand, Minister, as somebody who is seeking the Premiership of this province, that Ontarians are very, very interested in where you would take us when it comes to the evolution of the delivery of health care in our province. So I'm asking you, do you agree with the health care policies espoused by the youth wing of your party?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Let me say this directly to the honourable member: I disagree with what they say, but I defend to the death their right to say it.

**Mr McGuinty:** Who knew until the leadership race began that this minister had a poetic bent? Who knew?

Let's try to be more specific now, because the youth wing talks about private hospitals and private operation of new hospitals. I'll have you be very specific, then, with respect to that particular issue. Do you support that or do you not?

**Hon Mr Clement:** I suppose it was common policy when his government was last in power. I believe Minister Caplan, at the time, actually approved the bill for independent health facilities in this province. We can get out the Hansard if the honourable member so desires. The fact of the matter is that we've always had a mix of public and private in the province of Ontario. The honourable member's doctor is a private sector deliverer of publicly funded health care. Diagnostics can be privately delivered. Nursing services can be privately delivered. Nursing homes can be privately delivered.

What we're interested in on this side of the House is not an ideological bent or some sort of ideological blinkers. On this side of the House we ask the question, "Who can deliver it better, cheaper, faster, safer?" That is what we're interested in on this side of the House when it comes to health care reform and better health care services and results for the people of Ontario. I encourage the honourable member not to have his ideological blinkers on.

**Mr McGuinty:** I take it from that answer, then, that you remain very much in favour of private hospitals and the private operation of hospitals, because I gave you the opportunity to say no and I didn't, throughout the length of that answer, hear a no.

I want to move you on to something else now. Something else the youth wing in your party is asking for is new user fees and medical savings accounts. Ontarians, of course, are very interested in your personal views, given that you are seeking the Premiership, when it comes to user fees and medical savings accounts. I wonder if you might enlighten us on those two particular fronts.

**Hon Mr Clement:** The honourable member is talking about issues that are in the public realm. There is lots of discussion and debate. For instance, Liberal Senator Michael Kirby was in town today and yesterday examining user fees, medical savings accounts and other health care reforms. Perhaps the honourable member didn't get the invitation in the mail. But in fact a lot of Liberal Senators and other individuals have made presentations at that Senate committee hearing in Toronto and have indicated that perhaps this public debate is one that is happening nationwide.

We heard the other month that the Prime Minister was interested in the Swedish model of user fees, and that has become part of the public debate. We heard the other day that Roy Romanow has put user fees on the table, so I guess that's part of the public debate.

I agree with public debate; I think it's important to debate these issues. But the honourable member seeks to put words in the mouth of the government, which is not fair and not accurate.

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### HAZARDOUS WASTE

**Mr Howard Hampton (Kenora-Rainy River):** I have a question for the Minister of the Environment. Minister, today your government made some announcements about what measures may be needed to protect Ontario residents. I want to ask you about an issue that was raised over a year and a half ago, because at that time environment ministry staff warned of their concern about "the potential for releases of infectious materials" in their communities either through "spills, vandalism or other types of releases." They warned that you have no database on these dangerous materials and that you need a strategy and an action plan. They suggested a SWAT team should be assigned to work on this issue. Can you



tell us what your government has done to deal with the very dangerous issue of hazardous biomedical waste?

**Hon Elizabeth Witmer (Minister of the Environment):** We already have a SWAT team in place. Certainly our ministry has taken steps, and the steps were shared last week in estimates, to move forward and take all the necessary action in order to ensure that all of the hazardous wastes in this province are properly dealt with. In fact, we're looking forward to moving forward to introduce some measures in order to ensure that hazardous waste in the future will be pre-treated, similar to what happens across the border, and that there will be harmonization.

**Mr Hampton:** Minister, you should check the transcript from estimates, because in fact your officials indicated that the so-called SWAT team is doing absolutely nothing to address the issue of biomedical waste. We're talking here about potentially contaminated blood. We're talking about infected human and animal body parts. We're talking about pathogens. We're talking about infected hospital instruments and waste.

My question was, what have you done since you were warned about this a year and a half ago? The SWAT team is not even addressing this issue. Your answer indicates that you've done absolutely nothing about it. Your answer indicates that you have some prospective ideas.

I would suggest to you, as your officials suggested to you, that this is a very serious issue, that this kind of biomedical waste can be used in a number of ways, as the officials suggest: vandalism or some other means. I think you owe it to the people of Ontario to tell us now, what are the steps that you're prepared to take immediately, since we're dealing here with pathogens that can potentially infect all kinds of people in the most serious ways? What have you done so far and what are you prepared to do about it now, since your government now admits you need to protect people?

**Hon Mrs Witmer:** As the member knows full well, our government has indicated our commitment to continually work to strengthen and improve the management of hazardous wastes. Certainly, if we take a look at all that we have done and all that we are doing, we will work very closely with the Ministry of Health and also with the Solicitor General on this particular issue, and we plan to do so.

**The Speaker (Hon Gary Carr):** Final supplementary.

**Ms Marilyn Churley (Toronto-Danforth):** Minister, that is not good enough. Instead of protecting the public, first of all you lay off five renowned scientists, and now you minimize this issue today. Don't you think, after Walkerton and particularly after the events of September 11, that you should act now to correct this very dangerous situation?

I'm asking you now to address the serious concerns raised first of all by your senior ministry staff. I'm going to send you a copy of this warning they raised on March 14, 2000, in that leaked cabinet document that we re-

ferred to in the past. Senior members of your staff raised this concern. I am asking you to report back to this House on what action you plan to take to correct this potentially very dangerous situation.

**Hon Mrs Witmer:** For the member opposite to indicate that our government is minimizing the seriousness of this situation is totally incorrect. As the member opposite knows full well, the Premier today and certainly other ministers have indicated that we take the whole issue of the events that happened on September 11 and everything subsequent very, very seriously. In fact, our government has moved forward more proactively than the federal government and is taking every step possible to ensure that the citizens of this province are appropriately protected and we will continue to do so.

I look forward to receiving the information from you and we will certainly follow up.

#### BRUCE GENERATING STATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Minister of Finance. The scandal over your government's sale of the Bruce nuclear generating station to British Energy continues to grow. We've watched your government try to avoid having the Provincial Auditor look at the deal. I invited you yesterday to table the documents about the deal; we know that you haven't tabled them. But what's interesting is that British Energy also conspired to keep the issue out of the news. In what is singular, British Energy hired Hill and Knowlton to—get this—execute a plan on the announcement in such a way as to minimize media coverage post-announcement. Imagine that: hiring a public relations firm so that you don't get any media coverage of the deal.

Minister, why are you afraid to table the documents? Why don't you want the Provincial Auditor to look at this issue? Why is British Energy conspiring to try to keep the deal out of the news as well?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** To the Minister of Energy, Science and Technology.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** Again the honourable member is in error. The deal has been public since shortly after it was signed. It's available in the local library up in Bruce; it's available here. The CBC has done several stories on it. I remember personally giving the CBC a copy of the deal some year and a half ago.

Before Bruce Power got its licence from the Canadian Nuclear Safety Commission to operate the plant as the lessee of the plant, there were public hearings in Ottawa and at the local community level by the commission in which all the documents were available.

I'd be happy—in fact, I think I will—to just bring a photocopy later on today and I'll give you it because you're the only one in the province who obviously thinks it isn't available. Ask your local librarian.

**Mr Hampton:** We spoke to the CBC investigator and reporter who were doing this and their response to us

was, "The government very carefully gave us documents that do not deal with the nature of the financial transaction. The government was very careful not to give us any of those documents."

But I want to quote for the minister again. This is what Hill and Knowlton say:

"British Energy: Bruce Power Announcement Strategy.

"Ensure that the announcement of the sale of the Bruce nuclear plant to British Energy was executed ... in such as way as to minimize media coverage post-announcement."

You wouldn't let the Provincial Auditor look at this. You won't table the documents here. You were very careful to give CBC only the non-financial documents. Now we've got Hill and Knowlton and British Energy colluding to try to keep it hidden as well. Minister, what is it that you're trying to cover up? What is it that you don't want the public to see about your sweetheart deal with British Energy for one of Ontario's very valuable public assets?

**Hon Mr Wilson:** This government certainly welcomes the Provincial Auditor's examining the deal. The auditor has all the information. Everyone who wanted the information has it. I don't know whom you were talking to at the CBC, but I would recommend one thing: you should hire the same firm, Hill and Knowlton—which obviously Bruce Power did, according to this guy, anyway; if it's true, because it's not always accurate in here—and bring your own profile down a little bit, because you're killing your party with these conspiracy theories. I can tell you that.

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## CHILDREN'S HEALTH SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Health. I understand that on the weekend you found some time to meet with parents who have a very real interest and concern about the London Health Sciences Centre and your cuts. I understand that you made a commitment to parents during the course of that meeting, Minister, and specifically you said that you were going to review cuts to the pediatric programs. One of the things that parents are now concerned about is that the hospital is proceeding, notwithstanding, to wind up programs, and doctors are continuing to leave.

If you are genuinely committed to reviewing the decision that your ministry has made on this matter, will you now advise the London Health Sciences Centre to cease and desist in terms of moving forward with any cuts to any of the programs, and certainly the pediatric ones, and not to let any of the doctors go?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I'd be happy to inform the honourable member and this House on the status of this issue. In fact, our response has been absolutely consistent over the past few weeks on this issue, and that is that we on this side of

the House are concerned about clinical outcomes: the best outcomes for our kids, the best outcomes for any patients of the London Health Sciences Centre. From our perspective, that is how we are judging any proposals or indeed any counterproposals. How can we get to the best clinical outcomes for our kids and for other patients at the London Health Sciences Centre? That is how we judge things. If people have proposals, that is how we judge them. If they have counterproposals, they go through the same judgment process. I would expect the honourable member to judge things through the same prism as I propose to do.

**Mr McGuinty:** Minister, you know before you even utter those words that they will lend no comfort whatsoever to those parents you met with. You told them that you were going to conduct a review when it came to cuts to pediatric programs.

Let me remind you a little bit of the record. Just prior to the election, your predecessor was in London and said that not only are these wonderful programs, not only do they smack of excellence, but your government would even consider adding further financial resources to those very same programs. After the election, of course, you broke the promise, but recently you met with parents. You gave them your word that you were going to review these cuts.

There is only way you can express your real commitment to a review. I want you to stand up now and assure parents that you're going to be advising the London Health Sciences Centre that they are not to proceed in any way, shape or form with anything that would in any way interfere with the pediatric programs already being offered by the London Health Sciences Centre.

**Hon Mr Clement:** I'm sorry, but for me to have that position would be irresponsible. The honourable member knows, or should know, that the deputy chief coroner for the province of Ontario reviewed some of the programs of the London Health Sciences Centre and found them wanting. That is from the deputy chief coroner. So for the honourable member to advocate holus-bolus, across the board, across the slate, keeping the status quo when we have a report from the deputy chief coroner that raises issues about the safety of these—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Sorry to interrupt the minister. Members come to order, please.

**Hon Mr Clement:** —is, quite frankly, irresponsible, and I would not take that position.

**Mr Frank Mazzilli (London-Fanshawe):** My question is to the Minister of Health. A number of weeks ago the London Health Sciences Centre board of directors decided that pediatric cardiac procedures should not be performed in London, based on clinical outcomes. That was based on the regional coroner's saying that the mortality rates with some of these procedures were higher in London than in Toronto and some other areas.

I want to thank the minister for meeting with Dr Frewen and some concerned parents on Friday. I asked Dr Frewen this question directly: "Do you agree with the



regional coroner's report based on that?" He said that out of the 35 pediatric cardiac procedures, there are two which he has concerns with that should not be performed in London. Of the other 33, the clinical outcomes are the same as at Sick Kids in Toronto and ought to be kept.

Minister, will you ensure that you check the clinical outcomes on those 35 procedures?

**Hon Mr Clement:** I thank the member for London-Fanshawe for the question. That is precisely the kind of judgment that all health professionals and the Ministry of Health have to engage themselves in: what are the clinical outcomes? How can we ensure that our kids have the best outcomes possible?

I will say to the honourable member—

*Interjections.*

**The Speaker:** Sorry again, Minister. Members come to order, please. I can't hear the answer.

**Hon Mr Clement:** I would say to the honourable member that, as he is aware, he, as the member for London-Fanshawe, the member for London West and the Honourable Minister of Training, Colleges and Universities also met with those individuals—concerned parents as well as the doctor. We came to some very important conclusions about how we can move forward to ensure that we have the best services in London for the people of London, especially for the kids, and that's the kind of positive interaction that the members on this side of the House are having as opposed to the members on the other side of the House, who are making an irresponsible issue out of some very serious issues when it comes to clinical outcomes.

**Mr Mazzilli:** The one thing that concerned me from the outset of this was some of the professional integrity that was questioned between doctors. In fact, when we got to the bottom of it and started questioning people, what we found was that Dr Frewen in fact does agree with the regional coroner that there are these two procedures—the Norwood and one other procedure—that they've had very little success at in London, if any. In good conscience, you cannot recommend to any parent that procedure in London and the child ought to go to Sick Kids. But for the other 33 procedures that are performed, the results are the same, if not better, than Sick Kids.

Dr Frewen also explained that an ideal model for this province should be that the Ottawa hospital retain these procedures and that the London hospital retain these procedures but that the high-risk procedures go to Toronto. Do you agree with this model or will you check into this model?

**Hon Mr Clement:** Let me explain two other things that the group around the table in I think a very positive meeting agreed upon. First of all, Dr Frewen and the gang that were there were absolutely delighted that we announced on that day the new alternative funding arrangement for the pediatricians of the London hospital so that there is no problem with retention and recruitment of those pediatricians. This is good news for Londoners in keeping the pediatricians in London.

The second thing that I agreed to do was to review across the province pediatric subspecialty care so that we can ensure that we have a seamless, coordinated, coherent system when it comes to complex pediatric care. That's the kind of positive to-ing and fro-ing that we had at that meeting that reached a conclusion that I think will be better for the people of Ontario, quite frankly, and that is something that we can move upon to ensure that there are no gaps when it comes to pediatric care in the province of Ontario. That's the commitment of myself and the ministry, that's the commitment of the Mike Harris government.

#### AUDIOLOGY SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. The evidence is starting to come in on the impact of your decision to make people pay for their hearing tests. You keep saying that hearing tests are still covered by OHIP, but in fact you changed the rules so that far fewer tests could be done at public expense. We now know that there has been a 48% reduction in the number of OHIP-funded hearing tests that have been done since August 13, when your rule changes came in. We know that when your rules are finally in place, there will be a 96% reduction in publicly funded hearing tests. We know that your cost-cutting strategy is working. We know you're going to save the money you wanted to save. What we don't know is what's happening to people who are concerned about their hearing. Are they paying for their own tests or are they simply going without?

You have told the audiologists that you are going to stick with your decision. I ask you, why do you insist on forcing people to make this choice: either to pay for a hearing test or to go without one?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Let me assure this House that hearing tests are still covered by OHIP, they are still part of the OHIP system, just as they were before the announcements to which the honourable member refers. There are audiologists in our hospitals, there are audiologists in our children's treatment centres, there are ENT specialists in the community that are available for OHIP-funded hearing tests. So the honourable member is incorrect if she is implying that this is not funded by OHIP. It is still part of an OHIP billing system, it still can be made available and will continue to be so throughout the province of Ontario.

**Mrs McLeod:** Minister, that's simply nonsense. You know very well and you knew it when you made the rule changes that if all the people who now get publicly funded hearing tests or got them before August 13 were still to get them it would cost you about four times as much as what you have currently been paying. What you have done with your rule changes is ensure that you can save at least \$7 million, which you set out to save, by forcing 96 out of 100 people either to pay for their own tests or to go without a hearing test at all. I tell you, when you and your party talk about choice in health care, the

only choice that you keep providing the people is the choice of either paying for care or going without it, and we're seeing that time and time again.

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Minister, you set out to save \$50 million by making people pay for hearing tests and physiotherapy. That's a matter of fact. There are now growing concerns that you're not going to stop there. There are concerns that you're going to look at cutting services provided by optometrists, by podiatrists, by chiropractors. In fact, it may be that you're looking at finding another \$150 million in cuts to publicly funded services. The finance minister, your colleague, wants to speed up his tax cuts and you're planning to pay for it with more cuts to health care services.

Minister, you're shaking your head. I ask you to do two things today: first of all, will you agree that people are already paying too much out of their own pockets for health care? Second, will you give us your personal assurance that neither you nor your colleague the Minister of Finance, nor the departing Premier, will bring in any more cuts to health care services?

**Hon Mr Clement:** First of all, let me say on the question of the 96%, I don't know where she's getting her figures from. My medical professionals—

**Mrs McLeod:** The audiologists.

**Hon Mr Clement:** Well, from the audiologists. Boy, that answers that question. The honourable member should know that OHIP billings can be billed for six months after the procedure, so I don't know what sort of figures she's relying upon. I would suggest to you they're inaccurate.

She's talking about cutbacks. On this side of the House, we have increased health care expenditures six years in a row, to \$23.5 billion. Some 45% of the program spending of the province of Ontario now goes to health care. The only cutting of health care in the Dominion of Canada, let alone the province of Ontario, is from the federal Liberal government. When it comes to their commitment to health care, that's what we should question. If the honourable member wishes to spend her time questioning health care policy, I'll give her Allan Rock's name, address and phone number. She can do the job there, because clearly her leader isn't when it comes to sticking up for the interests of the province of Ontario when it comes to health care spending and health care delivery in this province.

#### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Citizenship. Minister, as you've informed the House, you've been meeting with community leaders across the province in preparation for the introduction of the Ontarians with Disabilities Act, the legislation that you've stated will be tabled within a few weeks.

As part of those consultations, I understand you met recently with stakeholders in Ottawa. Minister, you've said repeatedly that everyone in the public and private sectors—as a matter of fact, all levels of government—will need to work together to prevent the creation of new barriers and eliminate existing barriers if persons with disabilities are to achieve full citizenship.

As the seat of the federal government and Canada's capital, Ottawa, one would hope, is at the forefront in improving accessibility for persons with disabilities. Can you report on what you've found during your visit to Ottawa?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** First of all, I was in Ottawa last week for my third visit with disabled persons. Ottawa has a very progressive committee. It's been in operation for over 10 years. They are doing extensive work in terms of transit conversion and curb-cutting, some of the best work in the province, I might add. Under their leadership they're engaging the disabled community directly in planning decisions, in reviewing buildings. They're currently doing audits of municipal buildings.

They have a concern though, quite frankly, that if we're going to find solutions in sharing the responsibility to make sure Ontario becomes more accessible, we are going to need to work with the federal government and we're—

**Mr James J. Bradley (St Catharines):** Fed-bashing.

**Hon Mr Jackson:** We're not bashing them, member from St Catharines. I'd think he'd be the first one to suggest that the federal government should do its fair share. We haven't seen much evidence of it, but I believe that the federal government, especially in a city like Ottawa, is willing to do it for its own employees because any legislation we do in Ontario will not cover federal government buildings in this province.

**Mr Galt:** Thank you, Minister. Also compliments to you for the extensive consultation that you've been carrying out on this particular bill. Extensive consultations are, of course, a hallmark of our government.

Minister, as you have previously stated in the House, involving persons with disabilities in the public policy development is indeed a stated goal of the government. In your meetings with members of the Ottawa accessibility committee for the disabled, did you get an indication as to how they would like the government to proceed with an Ontarians with Disabilities Act and the type of approach the legislation should pursue?

**Hon Mr Jackson:** Very clearly, the Ottawa Accessibility Advisory Committee feels very strongly, as does this government, that any legislative initiative and any efforts put forward to make Ontario more accessible should involve the disability communities directly.

I've stated in this House before that from what I've seen in Ottawa and how it works, it is working very well, and we're encouraged by that. In fact, since amalgamation in Ottawa, they have actually even strengthened their rules of participation. The committee is made up of 13



members of the disability community appointed by council and includes one councillor. It happens to be Councillor Madeleine Meilleur from Ottawa. The committee is chaired by Barry McMahon, who is a member of the Ontarians with Disabilities Act Committee. He has indicated his full support for the government's approach of ensuring active and ongoing participation of disabled persons. Clearly we need to achieve full accessibility as everyone's business and to everyone's benefit in Ontario.

#### LOW-INCOME ONTARIANS

**Mr Howard Hampton (Kenora-Rainy River):** A question for the Minister of Finance. Minister, this is today's report from the Centre for Social Justice, entitled *When Markets Fail People*. This report shows that your corporate tax cuts indeed have helped the wealthiest people in Ontario, but the fact that you've frozen the minimum wage for now going on seven years has hurt the lowest-paid workers in this province. It has fuelled an incredible gap between those who are well off and those who are working very hard at minimum wage, trying to make ends meet. It points out that your refusal to raise the minimum wage is at the heart of this.

My question to you is this: after seven years of tax cuts for the well-off and seven years of freezing the wages of the lowest paid, will you commit to increasing the minimum wage?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The member opposite is talking about income levels, disposable income for people with lower incomes in Ontario. Let me give you a quote: "Overwhelmingly, the best thing one can do for low-income families is to make sure that they either pay very low taxes or no taxes at all." That's Paul Martin in the federal Parliament on February 18, 1999.

I'm very proud of the record of our government in personal income tax cuts. Our budget this year will remove another 75,000 low-income persons from the tax rolls—completely off the tax rolls. They pay no income tax in Ontario. Unfortunately, some of them still have to pay federal income tax. The Ontario tax cuts to date have taken 325,000 people totally off the obligation to pay provincial income taxes in Ontario. That's real money in their pockets.

**Mr Hampton:** Minister, this report also goes into your apparent explanation here today and it points out that by increasing a host of user fees, by increasing tuition fees, by downloading on to municipalities and forcing them to increase property taxes, not only have you frozen the incomes of the lowest-paid workers in the province, but when you add up all the user fees, the co-payment fees, the administrative fees, they are paying more taxes than ever before.

The question is a simple one: after looking after your corporate friends for seven years, after looking after the well-off in this province for seven years through tax cuts, will you finally raise the minimum wage for the lowest-paid workers in the province?

**Hon Mr Flaherty:** What's of importance to people in the province of Ontario, no matter what their earnings are, is that they have more disposable income, more money in their own pockets.

He talks about rich people. Let's talk about a one-income family with two children and a net income of \$30,000. A one-income family, two children and a net income of \$30,000 will pay \$1,635 less Ontario income tax when these tax cuts are completed. That is a saving for that family of 100% of what they would have been obliged to pay in personal income tax.

You're talking about caring for people and caring for children. Look at the budget this year and what we did for the 19 children's treatment centres in the province that help children—babies with autism and serious learning disabilities and spina bifida. Look what we did. They needed another \$20 million. They were fully funded in the budget this year. That's real action. That's real caring for real people, including babies in Ontario who need that kind of assistance on a timely basis.

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#### HOSPITAL FUNDING

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Health. I want to ask you about the situation at the burns unit of the Hamilton General Hospital. As you know, it is one of the most prestigious units in North America. Since spring of this year, this unit has doubled the number of patients from 45 to 90, without one additional cent being given to look after these people.

This unit has 10 beds. It is currently working at its limit literally year-round. Recently two patients had to be taken to the United States because there was no room there or in any other burns facility across Ontario. To add to this, we now have a situation where the London Health Sciences Centre is closing down its burns unit. Of course it's going to add more to the needed capacity and ability of the Hamilton General Hospital to look after patients who are going to be there.

With this type of situation, with the seriousness of burns and with the intensive needs people have, even a handful of additional patients can overwhelm the system. In view of this, will you commit today to additional resources and funding to open up more beds at the burns unit at the Hamilton General Hospital?

**Hon Tony Clement (Minister of Health and Long-Term Care):** The honourable member raises a legitimate and important question. Let me assure him and this House that under no circumstances would we allow a change of program at any one hospital to occur without the pickup at some other hospital or some other facility in Ontario. There should be no gaps in the system. I think it should be expected by the public, and certainly on their behalf by us, that any changes that occur, and changes do occur on a regular basis, will be factored into the operating and budgetary plans of each individual hospital.

The honourable member raises a legitimate point. That is the kind of thing on which we are in discussions with Hamilton Health Sciences about their plans and operating projections, not only now but in the future as well.

**Mr Agostino:** The reality is that even before the London closing you have ordered to go ahead, this unit is already at its maximum. They already have had to send patients to the United States. So your empty rhetoric really doesn't deal with the issue. You know there's a problem. You know the unit does not have the capacity to handle more patients. They have no full-time physician. We are short two part-time nurses at this particular facility. It is the only facility that is going to be left between Windsor and Toronto to look after people.

You have a responsibility here not to tell us, "It sounds good; we're going to look at it in the future." The crisis is today. I find it astonishing how you can continue to justify \$2.2 billion a year in additional corporate cuts, but you can't stand up today and say, "Yes, I will give the additional money necessary to open up more beds at the Hamilton burns unit." Are patients and health care and well-being your priority when it comes to people in this province or does it continue to be your corporate tax cuts? Stand up today and commit that you will give more money to ensure we can handle the need at the Hamilton General Hospital burns unit.

**Hon Mr Clement:** We know the Liberal Party is against tax cuts. We heard that again today, where the honourable Leader of the Opposition wants to send to the glue factory the "one-trick tax-cut pony," according to his own words. The honourable member should be aware that along with tax cuts, we have also increased hospital funding in Ontario to a record \$8.6 billion this year, \$450 million more than last year. That is the kind of commitment we're making to increased hospital services.

Now, we do expect results out of that. We expect better results for our patients. But we are there for the hospitals. We have spent tens of millions of dollars in Hamilton, more this year than last year at St Joseph's and at Hamilton Health Sciences and we will continue to do so.

The honourable member has a particular concern. Perhaps we can look at the operating plan based on his question, but I can tell you that we are looking at the operating plans of Hamilton Health Sciences with a view to ensuring that the services they purport to deliver are delivered with the right resources and the right accountability to make sure there is value for money for the taxpayers.

#### BORDER SECURITY

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Economic Development and Trade. Since the events of September 11, everyone's world has been turned upside down. What we knew to be normal before the attacks on New York and Washington is now a distant memory. Heightened security at our border crossings is one of the ways our world has changed.

You have said in the past that while we recognize the desire to tighten security at the Canada-US border, we must maintain swift and efficient access for legitimate persons and business transactions. I support the concept raised by Premier Harris of a secure North American perimeter. Where are we now on this issue?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** This is the second year in a row the member from Niagara Falls has asked me a question on his birthday. I'm not sure what that means, but happy birthday, Mr Maves.

This is a critical issue, not just for Ontarians, but for Canadians. That's why our government is sponsoring an industry leaders' round table this Friday.

Trade with the United States is clearly a critical issue for us: 93% of our trade is with the United States. In the year 2000, that represented over \$200 billion, 1.5 million jobs dependent on exports.

Our Premier, along with a number of other Premiers, has been talking about the whole question of a North American security perimeter. I think if we look at questions of infrastructure, we can look at questions of customs clearance, but the overriding concern here is security. Provincial Premiers recognize this, business leaders recognize this, Canadian citizens recognize this. It begs the question, who doesn't? Apparently they all reside in Ottawa.

**Mr Maves:** Thank you, Minister, for that answer. Minister, I do agree with you: issues of national security need to be addressed by our federal government, and there is no time for continued hand-wringing and bungling when our neighbour to the south is at war and is looking for our help.

Minister, setting aside for the moment the Allan Rock fiascos and bungling, what is the next step we should take in making sure Ontarians aren't left behind because of indecision and poor decisions in Ottawa?

**Hon Mr Runciman:** I want to make it clear that our government wants to work with the federal government on this issue, and Mr Manley has been saying, I think, some very promising things. But if we look at this file, in the past the federal government has been lethargic, complacent. We've heard the Prime Minister talk about sovereignty as a concern. That is indeed, in our view, a red herring.

Any country that doesn't have security doesn't have sovereignty. That's the bottom line.

I can assure the member and I can assure Ontarians that Ontario will be in the forefront on this issue. We're going to ensure that our trade and our economy do not become victims of the terrorist attacks of September 11.

**The Speaker (Hon Gary Carr):** New question.

**Mr Peter Kormos (Niagara Centre):** Yes, Speaker, a question to the Minister of Labour, please.

**The Speaker:** Stop the clock, if we could, please. Just a quick moment here, please. Now that the minister has rushed in, I apologize. In the rotation for a new question, yes, it was a question, but it was the wrong order.

*Interjections.*



**The Speaker:** No. I didn't give him much of a chance. I do give people a chance to stand up. I did not give him much of a chance. It was my fault. I apologize to the member for Niagara Centre. He stood up with such authority, I thought he was right. I apologize.

It is the rotation for the Liberals.

### COMMUNITY CARE ACCESS CENTRES

**Mr Joseph Cordiano (York South-Weston):** I'd like to ask the Minister of Health about the funding crisis facing community care access centres across this province. The minister will be aware of the crisis since he froze CCACs' budgets at the year 2000 level. I'd like to know why the shortfall is going to amount to \$175 million. In North York, the CCAC, for example, is facing a \$10-million shortfall.

So will he now recognize that CCACs face a serious funding crisis, and will he do the right thing and fund CCACs properly so that they can meet their 2001-02 commitments?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I'm happy to do the right thing and pass the question over to the associate minister of health.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I'd like to thank the member opposite for the question. As the member knows, this government has put substantial dollars and substantial expertise into community care access centres over the previous four years. Since 1995, the budgets in the Toronto community care access centres have grown by about 120%, some of the largest growth in the province of Ontario and definitely across North America.

This government is concerned as a result of a number of reviews we have done that money is being spent effectively in the province of Ontario. We have taken on a review to look and see what services should be provided, to see how we can better manage the system, how we can have an effective management system within the CCACs. We will continue this review and make the recommendations necessary to ensure that we have a high quality of care in community services in the province of Ontario.

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**Mr Cordiano:** The minister would have us believe that everything is just fine, that they are funding things properly. Let me tell you, real people are facing a real crisis out there.

Let me tell you about those people in my riding, people like Mr Frank Derango, who is a 70-year-old, if you can imagine, who has been caring for his 90-year-old mother. He now unfortunately is undergoing cancer treatment and has applied for home care. Guess what? He's been put on a waiting list. There is no service. In the Oddi family, a daughter-in-law who suffers from a heart condition has been looking after an elderly parent who suffers from Alzheimer's. She's been waiting for home care and there is none.

Is this your vision of Ontario, where 70-year-olds who are ill themselves are now forced to look after 90-year-

olds who can't take care of themselves? Is this your new vision for Ontario, Minister?

**Hon Mrs Johns:** As the Premier said earlier this year, we've invested 120% more in community care access centres in Toronto. Have we increased the service by 120%? The speaker opposite is agreeing with the government when he says there needs to be some review done of this. Substantial dollars have flowed to these community care access centres, and when we did a study, an operational review in Hamilton, what it showed was that they had ineffective financial management, they were short on their monitoring, they had no standards to ensure there were effective dollars being put into effective services.

We all agree in this House that there need to be operational reviews. There needs to be a review done by the province because we can't continue to put 120% into new funding in these areas without knowing that we're getting the services back that we need. That's what we intend to do.

### YOUNG OFFENDERS

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Attorney General. I understand that my colleagues on Ontario's Crime Control Commission, David Tilson, Bob Wood and Joe Tascona, have held hearings across the province on the federal government's proposed Youth Criminal Justice Act. I'm happy to hear that the Crime Control Commission has asked for and has been granted an opportunity to share their findings with the Senate standing committee on legal and constitutional affairs. I'd like to point out that when the Crime Control Commission asked to appear before the federal Commons committee on justice and human rights to share these same findings, the Liberal majority on the committee refused to allow it. It's important to me and my constituents in Scarborough Centre to know that at least one level of government, the Mike Harris government, is listening to the concerns of Ontarians.

Minister, could you please tell us how extensive these Crime Control Commission hearings were and when you will be sharing the results of their work with the Senate?

**Hon David Young (Attorney General, minister responsible for native affairs):** First of all, I'd like to take a moment to thank the member for her question. There is no one in this Legislature who cares more about this issue. The member has raised numerous similar issues, all with one goal in mind and that is the protection and the safety of individuals in her community. I applaud her for that today, as I have done in the past.

I also want to say that this government has gone to the people to ask for their opinion about the Young Offenders Act and the successor legislation, the Youth Criminal Justice Act, or bill, as it is. What we have heard as a result of the efforts of the Crime Control Commission is that the people of Ontario have little or no confidence in the Young Offenders Act and have absolutely no interest in the replacement Youth Criminal Justice Act that the federal Liberals have brought forward. The Crime

Control Commission has been to 14 different municipalities across Ontario and what they have heard is that amendments to the proposed legislation are essential to keep our communities safe.

**Ms Mushinski:** Thank you for that answer. I know that our colleagues today will distinguish themselves.

Minister, I understand that you'll be appearing before the Senate committee tomorrow afternoon. I know you also have serious concerns about this proposed legislation and have developed the "no more free ride for Young Offenders Act" amendments meant to strengthen the very weak-kneed Youth Criminal Justice Act as a response. Can you please provide me and my constituents in Scarborough Centre with a few examples of the Mike Harris government's common sense proposals for cutting youth crime?

**Hon Mr Young:** What we have done over the past eight months is attempt to take a constructive approach to what is a very real and serious problem in this country. The Mike Harris government has come forward with a series of 100 proposed amendments that we have asked the federal government to simply implement, apply, add to the Youth Criminal Justice Act, amendments that, if passed, if adopted, would make it very clear that a young person who commits an adult crime will do adult time, amendments that will make it just as clear that if you use a weapon during the course of an offence, you will serve some time in jail. We've also said that if you commit a serious violent crime, then you should be identified, then the people in your community should know what you have done, not only to help the community but to help the individual involved so that resources can be there to assist that young person.

## OCCUPATIONAL HEALTH AND SAFETY

**Mr Peter Kormos (Niagara Centre):** My question is to the Minister of Labour. The inquest into the death of Robyn Lafleur was completed last week in Welland. The evidence at that inquest was clear that there had not been a single Ministry of Labour inspection for the four years prior to Ms Lafleur's slaughter in that workplace. We heard evidence from a plant manager telling the jury that she had never read the Occupational Health and Safety Act and that she made up her own safety rules based on common sense. The minister's own director of occupational health and safety testified that it is not the Ministry of Labour's role to make sure that all workplaces are safe at all times. Minister, do you share that view of the role of your ministry?

**Hon Chris Stockwell (Minister of Labour):** To be fair, we have to put that quote in context. The context of the quote is this. The question was asked as to whether or not they inspect these places every year. The response was that due to budget limitations, the answer is no. Because there are literally millions of workplaces in the province of Ontario, it is financially impossible to inspect every workplace every year.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** That's not true.

**Hon Mr Stockwell:** The member over across there, who used to be Minister of Labour, suggests this isn't true. Mr Sorbara may think, in his mind, that the Liberal government did inspect every year. The fact of the matter is, when you put that in context, no Ministry of Labour officer can possibly go to every single workplace every single year. It's financially virtually impossible. But the education, the mailings—that work is done on a very regular basis.

**Mr Kormos:** This was an exceptionally dangerous workplace. It dealt on a daily basis with explosive materials. It had not undergone an inspection in four years. Indeed, the business place's own manager acknowledged that she had never read the Occupational Health and Safety Act and effectively made up the rules as she went along.

Sir, the Communications, Energy and Paperworkers Union has taken up this cause on behalf of Robyn's family to try to make sure that a tragedy like this doesn't occur again. They have developed extensive recommendations for positive action, including calls for mandatory annual workplace inspections and for mandatory training of managers who wouldn't even read health and safety laws otherwise. If you won't agree today to implement or to contemplate those types of changes, Minister, will you please meet with representatives of the Communications, Energy and Paperworkers and with Robyn's family to hear their submissions and listen to their plea for the need for you to effect some significant changes in how unsafe workplaces are inspected?

**Hon Mr Stockwell:** To answer the first part of the question, of course I'm prepared to meet with them. They've suffered a very real tragedy. There's a great, sincere loss they've had. We all understand that. I don't want to play politics with you. If your request is to meet with them and hear their concerns, in a heartbeat, in a second, I will meet with them to hear their concerns.

But be fair: inspections are up 32% since we took office; convictions are up 24%; fines are up 113%; fines for convictions are up 73%. This is over your administration and over their administration. That someone dies in the workplace is a tragedy. We all feel for that tragedy. But to pin this on some kind of inspection process that this government introduced is not fair. We inspect more, we have more fines, we have more convictions, and to the ex-Minister of Labour in the Liberal Party, you should know that.

1520

## PETITIONS

### DOCTOR SHORTAGE

**Mr Michael Gravelle (Thunder Bay-Superior North):** There is no way to overstate the physician shortage crisis in Thunder Bay and northwestern Ontario. We have a petition signed by over 40,000 people, with great concern being expressed. It reads:



"To the Legislative Assembly of Ontario:

"Our community is facing an immediate, critical situation in accessing physician services and in providing hospital care to the people of northwestern Ontario. While the recruitment and retention of physicians has been a concern for many years, it is now reaching crisis proportions. Training more physicians in northern Ontario is certainly the best response to this problem in the longer term. We are, however, in urgent need of support for immediate short-term solutions that will allow our community both to retain our current physicians and recruit new family doctors and specialists in seriously understaffed areas.

"Therefore, we, as residents of Thunder Bay and northwestern Ontario, urge you to respond to our community's and our region's critical and immediate needs. For us, this is truly a matter of life and death."

I am very pleased to add my name to this very large petition.

#### CRUELTY TO ANIMALS

**Ms Marilyn Mushinski (Scarborough Centre):** I have a further petition addressed to the Legislative Assembly of Ontario dealing with the issue of puppy mills that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I am pleased to affix my signature to this petition.

#### EDUCATION

**Mr Tony Ruprecht (Davenport):** I keep getting petitions concerning the education system in Ontario. This is addressed to the Parliament of Ontario, and it reads as follows:

"Whereas the Ontario government wants to take an additional billion dollars out of the education system this year and every year; and

"Whereas the Ontario government has decided to hire uncertified teachers in kindergartens, libraries, for guidance, physical education, the arts, and technology; and

"Whereas the Ontario government wishes to remove the right to negotiate working conditions; and

"Whereas the Ontario government will remove at least 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government has become the sole decision-maker on class size, preparation time and the length of the school day; and

"Whereas the Ontario government proposes to take decision-making powers out of the hands of locally-elected community-minded trustees;

"We, the undersigned Ontario residents, strongly urge the government to repeal the education bill and create an accessible public consultative process for students, parents, teachers, and school board administrators to study alternate solutions that have universal appeal and will lead to an improved educational system."

Since I agree with these sentiments, I am delighted to put my signature on this document.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** This petition was sent to me by N.P. Armstrong of Winchester, Ontario. It reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, transcutaneous nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

Speaker, I agree with the petitioners and I've signed my name to the petition.

#### DOCTOR SHORTAGE

**Mr John O'Toole (Durham):** It's my pleasure to read a petition on behalf of my constituents in the riding of Durham.

"To the Legislative Assembly of Ontario:

"Whereas the provincial Durham riding, including Clarington, Scugog township and portions of north and

east Oshawa comprises one of the fastest-growing communities in Canada; and,

"Whereas the residents of Durham riding are experiencing difficulty locating family physicians who are willing to accept new patients; and

"Whereas the good health of Durham riding residents depends on a long-term relationship with a family physician who can provide ongoing care; and

"Whereas the lack of family physicians puts unnecessary demands and strains on walk-in clinics and emergency departments;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that the government of Ontario will:

"Do everything within its power to immediately assess the needs of Durham riding and the Durham region and work with the Ontario Medical Association, the College of Physicians and Surgeons of Ontario, local health care providers and elected officials to ensure there are enough family physicians available to serve this community;

"Make every effort to recruit doctors to set up practice in underserved areas and provide suitable incentives that will encourage them to stay in these communities;"

"Continue its efforts to increase the number of physicians being trained in Ontario medical schools and also continue its programs to enable foreign-trained doctors to qualify in Ontario."

I'm pleased to support this on behalf of my constituents.

#### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** A petition to the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned"—from places like St Thomas, London, Wallacetown, Stratford, Sarnia and Waterloo—"petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I'm in full agreement and have affixed my signature hereto.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I'd like to thank the members of the Quinte Old Timers Club 513 in Deseronto for sending me this petition.

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, transcutaneous nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

Speaker, I agree with the petitioners. I've signed my name to this.

1530

#### CRUELTY TO ANIMALS

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

Since I agree, I am happy to attach my name.



### AUDIOLOGY SERVICES

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm pleased to present petitions from and on behalf of the following communities: Brampton, Stoney Creek, Winona, Kingston, Gananoque, Trenton, Arden, Hartington, Napanee, Belleville, Barrie, Bolton, Aurora, Bradford, Cayuga, Mount Hope, Fergus, Lindsay, Whitby, Oakville, St Thomas, Aylmer, Fenelon Falls and London.

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of Ontarians,

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I affix my signature to these petitions, which contain 1,000 latest names.

### HOME CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition signed by constituents in my own riding. It reads as follows:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of CCACs; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature, is forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly as follows:

"That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health

care planning rather than simply underfunding the system; and

"That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of the fiscal year."

I agree with the petitioners and I've signed my signature to it.

### HIGHWAY 407

**Mr John O'Toole (Durham):** It's my pleasure to read a petition on behalf of my constituents in the riding of Durham on the issue of Highway 407. I'll read it here.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into the Durham region"—which I support—"and the proposed routing, designated as the technically preferred route, will dissect the property of the Kedron Dells Golf Course Ltd in Oshawa;

"Whereas such routing will destroy completely five holes and severely impact two additional holes, effectively destroying the golf course as a viable and vibrant public golf course"—it's landlocked, you see;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change the routing"—that's very important—"to one of the other identified alternative routes, thus preserving this highly regarded public facility patronized annually by thousands of"—my constituents—"residents of Durham region and the GTA."

I'm very supportive of the Kedron Dells Golf Course in the riding of Durham just south of Taunton Road and east of Durham College.

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms Caroline Di Cocco (Sarnia-Lambton):** "Whereas it has been determined that recent funding allocations to the developmental services sector in the communities of Sarnia-Lambton, Chatham-Kent and Windsor-Essex have been determined to be grossly inadequate to meet critical and urgent needs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Community and Social Services immediately review the funding allocations to the communities of Sarnia-Lambton, Chatham-Kent and Windsor-Essex and provide funding in keeping with the requests made by families or their agents."

I agree with this petition and affix my signature.

## LONDON HEALTH SCIENCES CENTRE

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I too have signed this petition.

## OPPOSITION DAY

## ONTARIO SECURITY FUND PLAN

**Mr Dalton McGuinty (Leader of the Opposition):** I move that the Legislative Assembly call upon the government to protect Ontarians by enacting my plan to establish an Ontario security fund, with half of the funds being directed to security projects at the municipal level.

**The Acting Speaker (Mr Michael A. Brown):** Mr McGuinty has moved opposition day number 2: that the Legislative Assembly call upon the government to protect Ontarians by enacting Dalton McGuinty's plan to establish an Ontario security fund, with half of the funds being directed to security projects at the municipal level.

**Mr McGuinty:** It has become a cliché, but it remains true nonetheless, that our world has changed. Our families in particular have been horrified and shaken. I would argue, in one of the most profound ways they've ever been in the last several decades. They look to us now to assume responsibility for lending greater stability to the world in which they find themselves, and they look to us to provide real leadership when it comes to making sure that we're doing what we can to strengthen our economy and that we're doing what we can to make sure they and their children, our families, are leading safe lives.

That's why I was so disappointed today when the government came forward with these initiatives that

really weren't worth the paper they were printed on. It's going to take more than newspaper ads telling us, "Don't worry. Be happy," it's going to take more than tax cuts for already profitable and already competitive corporations, and it's going to take more than a continuing series of expressions of concern about all things related to terrorism. It's going to take much more than that if we are going to convince our working families that we have done what must be done to ensure they enjoy life in a safer Ontario.

What we've been doing is making a real and genuine effort to put forward positive proposals to the government. I believe there is a very legitimate expectation on the part of our families today that, given these extraordinary circumstances, we will do what we can in a non-partisan way to look out for their interests. The message I'm getting from our families is, "You people will work together in my interests, and I have very little time for infighting and bickering and partisan activity." That's why early off the mark we put forward a positive proposal to the government. We put it forward two weeks ago. It works in the short term and, just as importantly, it does not compromise our fiscal flexibility in the long term. I want to tell you a little bit about that.

## 1540

The objective here is to shore up consumer confidence, it's to help arrest this downturn in our economy which had begun prior to the events of September 11 and it's to make life safer for our families. That's the three-fold objective of this positive proposal. We call it our Ontario security plan. First of all, we take the \$1 billion which had been addressed in the last two budgets, \$1 billion in commitments that this government has made as promised investment in infrastructure, and we contrast that with the \$14 million this government has spent—\$1 billion promised and committed, only \$14 million actually spent or invested.

What we're urging the government to do, understanding that there are more than 800 applications on the books hanging around in some governmental limbo, we're asking the government to simply move ahead with those projects. Let's invest this money now. We're talking about roads and bridges and water treatment plants and schools and hospitals and universities, those kinds of things which have not only immediate value in terms of creating jobs and spin-off jobs, but have lasting value in terms of supporting the infrastructure that we are trying to have in place here as we cultivate a knowledge-based economy. It doesn't cost us—again, this is very important, notwithstanding the government's remonstrations to the contrary—an extra cent. The money has already been committed. Sadly, what the government is doing is holding these investments in abeyance. I know why they're doing that. They're doing that for purely political purposes. They want to cut cheques and engage in photo ops much closer to election time, which I think is irresponsible and cynical, given the trying times that we all find ourselves in.

Further, what we are suggesting is that of that \$1 billion, let's hive off 10%. That's \$100 million. We call



that our Ontario security fund. We believe that what we should be doing with those monies found within that fund is enabling municipalities to make application for some of those monies. We'd dedicate half of it for our cities and towns.

I've met with mayors, reeves and councillors, and they're telling me that they feel a sense of urgency here, notwithstanding that the government does not. They feel that they must take on some responsibility to make life safer for the people who live in their communities. They want to put some extra security around some of their municipal infrastructure. Maybe they might want to hire a few more police officers or firefighters, all with a view to making life safer for their families. In the grand scheme of things, surely one of the most fundamental responsibilities we share, those of us who enjoy the privilege of elected office, one of the most fundamental responsibilities is to make sure that the people we serve are safe. I understand why municipalities are looking to us to assist them in this regard. That's what this fund would serve to do in part.

I would look to the other half of that fund, the other \$50 million, to use to help shore up some of our provincial areas of vulnerability, like our nuclear power plants, like our oil and gas pipelines, maybe some of our courthouses and those kinds of things, this chamber itself, the legislative precinct, some of our financial districts perhaps. All of those things are important for us to address.

The government has had 48 days during which to get a good handle on what is happening out there and then to become as proactive as possible. Some of this is reactive, understandably. None of us could anticipate that people would fly airplanes into buildings and cause death and trauma for much of the world. None of us could anticipate that, but I think surely one of the real tests of leadership is, when these things do happen, how do you react and what are you doing to protect the interests of the people whom you serve? This government has come up painfully short in that regard.

I am proud to say that my party and our caucus began to pull together some of the very best ideas. We met with business leaders, we met with labour leaders, we met with municipal leaders and just representatives from the families that make up our communities. That's why we came up with this very specific plan. The government's best shot at this was to accelerate corporate tax cuts.

**Mr David Caplan (Don Valley East):** One-trick pony.

**Mr McGuinty:** That's that tired, old, one-trick tax-cut pony, which should be taken out to the glue factory and put out of its misery. It's time for new ideas. It's time for innovation. It's time for genuine leadership.

The government has it in mind that we will have here in Ontario the lowest corporate taxes in North America. I just want to tell you, and I want to tell our viewers and those who are paying attention to this very important debate, that we have a more progressive definition of competitiveness, one that is suited to our province at this

time in our history. We want competitive taxes, and our taxes already are competitive. But you know what else we want for our families? We want clean air. We want safe drinking water. We want enough textbooks in our schools. We want enough beds in our hospitals for our parents, should they require the use of those beds. And we want responsible fiscal management.

We think it was irresponsible to add \$20 billion to the debt, and we think it's irresponsible to compromise our fiscal flexibility by going ahead with another \$2.2 billion in corporate tax cuts. That is completely out of keeping with a progressive vision for our province.

What I'm doing today is putting forward my plan once again to this government, and I am urging the government members to receive it in the spirit with which it is being tendered. I think it's a good idea. I think it will help shore up a sense of security in the minds of our families, and I think it will help arrest the downward turn in which our economy finds itself. It's put forward not for any partisan purposes, but just because we think it's a good idea for our families and for our future.

**Mr John O'Toole (Durham):** The phrase coined by the Leader of the Opposition, "one-trick tax pony," certainly that term belongs to him. He includes everything and solves every problem, clearly, by raising the taxes. He's made that eminently clear today.

I want to be on the record, and it's a privilege to stand as the minister's parliamentary assistant and to respond to the leader of the official opposition on the economic plan for Ontario.

It should not surprise Ontarians that the leader of the official opposition has called on this government to fast-track about \$1 billion of capital spending that has already been announced and set aside \$100 million in a security fund to help municipalities improve emergency services.

The Liberals propose—and I will outline it for you—to set aside 10%, or \$100 million, of promised capital spending for an Ontario security fund; to use half of the fund, or \$50 million, to update emergency measures response plans and to hire firefighters and police to protect drinking water and municipal airports. The other half, or \$50 million, would be used to improve provincial security at nuclear facilities and hydro installations.

Once again, the Liberals are slow off the mark. Clearly they're not up to the job. Such a position is consistent with the tax-and-spend methods of Liberal governments of the past and the prospects, unfortunately, some would think, of the future.

The Progressive Conservative government has committed over \$5 billion to municipalities to improve their infrastructure, including transit and health and safety priorities in our communities. The government is already spending millions of dollars on protecting the safety and security of Ontarians and is well equipped to respond to emergency needs. The government is investing in building infrastructure that will provide long-term benefits for future generations, including better quality of life, more services closer to home, and jobs and investments in our local communities.

1550

These projects are not being delayed. Good work takes time and negotiations, and we are taking the necessary time to make sure that local priorities are being considered to meet the health and safety of Ontarians and that Ontario's safety is protected through our SuperBuild initiatives.

The tragic events of September 11 demonstrate more than ever that in Ontario we need to work together co-operatively. All parties and all levels of government, indeed each citizen, under the strong leadership of Premier Mike Harris and this government, are working hard to ensure that Ontario is the safest province in all of Canada. We are committed to making available every cent needed to do exactly that.

It would be no surprise to the citizens of Ontario that there are significant concerns on our part with the plan of the Liberal opposition that is being put forward here today. All the Liberal plan does is talk about where to find money. It has no specific suggestions on what programs to invest in. I'm not surprised by that lack of planning and lack of foresight with any vision. Capital is one-time money. The serious issues we are talking about require more than one year's commitment, but the Liberal plan makes no mention of how to sustain these projects over time. Our approach is to strategically look at programs, determine what's necessary and do an appropriate costing to ensure funds are adequate and properly available.

I don't want to dismiss any suggestion that would help to keep the people of Ontario safe. However, this is a need we have both today and into the future. We must ensure adequate funds are also available for future generations of Ontario's young people. We must not saddle our children further with a debt that would be their inheritance from previous governments, often referred to as the lost 10 years.

Contrary to what the Liberals might like to lead Ontarians to believe, there are not delays in flowing SuperBuild money. Projects are not being held back. As partners with other levels of government, we are in negotiations with other parties as we work toward building local priorities in our communities. SuperBuild monies are flowing. Since 1999 the government has already invested in more than 3,000 projects worth close to \$9 billion. That's more than 3,000 projects in communities all across the province. That's jobs, strategic investments, closer-to-home services and better-built communities across Ontario. Work is already underway. One only has to look at the cranes.

I look in my riding of Durham and I see the work going on at the Ontario Institute of Technology, at Durham College, at Lakeridge Health and at long-term-care facilities and a number of other projects. The construction industry is already operating at close to full capacity because this government had the foresight under the leadership of Premier Harris and the Minister of Finance, Mr Flaherty, to anticipate the need for more investment in infrastructure and to encourage more investments in the future.

SuperBuild projects are just part of the government's broad range of policies designed to strengthen the Ontario economy. Unlike the Liberals' quick, not-well-thought-out plan, this government has a strategic and balanced economic plan for Ontario today and into the future. SuperBuild projects will boost the vital infrastructure of the province and improve the quality of life, health and safety of all Ontarians.

Three SuperBuild projects were announced in the 2000 budget: a \$1-billion millennium partnership initiative, \$600 million for OSTAR—the Ontario small town and rural development initiative—and \$300 million to the sports, culture and tourism partnerships initiative. OSTAR was launched to assist with Operation Clean Water, which introduced a stringent new drinking water protection regulation. The government's more-than-\$9 billion transit plan was announced in this House, as we know, by the Premier on September 27.

Throwing money into a big pile and letting everyone fill their hats, which is the way previous governments did it, won't put one more carpenter, one more electrician or one more labourer on the payroll. This is the essence of the Liberal plan. This is tax-and-spend government as practised by previous Liberal governments.

Trades people and labourers are on the payroll because the government had the foresight to anticipate the need for infrastructure investments and the courage to make them available. Previous governments have given us graphic examples of waste and mismanagement. We don't intend to emulate previous failed plans. We have no intention of throwing money at problems in the faint hope that some of it will end up in the right place to serve the right people.

As I said earlier, good work takes time. This government, led by Premier Harris, will take the time to do the job right the first time.

When I look at the overall needs of infrastructure and the neglect over the last decade, it is clear from data provided to me that at the beginning of the Liberal mandate there was a clear disconnect between real output and the capital stock necessary to keep our economy and our society productive.

If I want to look at the strategic investments under SuperBuild, in education there are a number of projects. These are primarily post-secondary: 218 projects. The investment total is \$2.078 billion. Of that, \$1.277 billion is the portion contributed by the this government. In health, there are 674 projects. The investment total value is \$3.389 billion, of which \$1.864 billion is the provincial share. Under environment: 187 projects for a total value of \$1.054 billion, of which the provincial share is \$478 million. Under highway and other transportation, there are 229 projects. The total value of those capital projects is \$3.226 billion. The province's share is \$3.164 billion. Other projects, including northern development, tourism, OSTAR, sports and culture, millennium and justice projects: 688 projects for a total capital value of \$3.288 billion, of which the province's share is \$2.072 billion.



The total capital investment by this government and its partners is \$13.035 billion. Of that total, the province's investment and commitment to date is \$8.855 billion, the largest single capital investment in this province's history, by this government and this Premier, Premier Harris.

For the record, it's clear that the federal government, like their Liberal counterparts here, isn't up to the job. The federal commitment is \$681 million for Ontario. Let me repeat that: \$681 million is the federal commitment to the infrastructure of this province. This province, with one third of the people of this country, gets a paltry sum, and I compare that to our \$8.8-billion investment. The federal government's is \$681 million. Who is paying to build the infrastructure? The province of Ontario, together with partnerships in our communities.

I pledge to this community and to my community to work on their behalf, not to just simply raise taxes but to invest wisely into the future. We're well on track to meet the goal of our commitment under SuperBuild of \$20 billion in capital investment in the term from 1999 until the end of this particular Legislature. I committed as well in the comments I've made that we're well on track to build Ontario's future together.

The opposition's motion today is clearly too little, too late, and not well planned. I don't expect to be supporting it. I'm sure other members will listen to the arguments and will clearly see that this province is well managed and well governed and making the investments that make our society and our communities a better place to live and to invest.

1600

**Mrs Sandra Pupatello (Windsor West):** I'm very pleased to speak to my leader's motion. Dalton McGuinty advanced a \$100-million plan specifically to address circumstances post-September 11. What is amazing to me is that as I sit here and my leader advances solutions for what we can do as we all, in every community across Ontario, have suffered the effects of September 11, never is this more clear than when you travel down the 401 and back to my community of Windsor. Our Windsor community is so reliant on smooth traffic across the border to Detroit. All traffic ground to a halt on September 11. We have struggled with the challenge of revving back up and trying to get to what is now going to be called the "new normal" in our community of Windsor.

Just to give you some idea, there are thousands of people in Windsor and Essex county who traverse the bridge and tunnel every day to go to work. They leave in the morning and they come back at night. Many of those individuals are signed up for a program that would have allowed pre-clearance so that they roll through the gate as they head across the bridge. All of that ground to a halt on September 11. Now things are starting to pick up again. People are starting to go back and forth with ease in some cases. Every time there's a new incident or a new threat, the first thing that happens is that our borders grind to a halt again. What might take just a 15-minute

stop will in essence create hours-long delays for the trucks that have to go across.

Our community is very much auto-based. Our system of supplying our auto plants is literally just-in-time. They have about a two-hour window to move parts back and forth across that border to get them from parts-manufacturing plants to the assembly plant in my community. When those events of September 11 hit, I think none of us realized how dramatically we could be affected and for how long, and we have struggled with that. We have done everything. All of our political leaders and our business leaders have worked diligently on this issue since the events of September 11. Herb Gray is bringing in yet another minister to the Windsor area on Friday morning to see for himself the tunnel and the bridge, to have a discussion about what more we can do at the federal level, at the provincial level, at the municipal level.

Today we know that with security threats again right across North America, they are now considering that they will be clearing all trucks and passenger vehicles from actually stopping or waiting on the bridge span or in the tunnel. That is going to have a dramatic impact. It started already last night, backing up all of these vehicles on our road system, a road system that certainly wasn't designed to be the holding spot for trucks and cars that have to go back and forth across the border to Detroit.

We have talked about this for many years in our community. The Windsor-Detroit corridor is the most significant corridor in North America. The greatest volume of trucks in North America crosses that border: the greatest number by volume, the greatest number by value of goods. We know that our Ontario economy is so devoted to an export business that we at all costs must have the perfect trade corridor. In my view, that corridor is the 400-series highways from the significant border crossings in Ontario, most notably the Windsor-Detroit corridor, the Port Huron-Sarnia corridor and the Niagara corridor. Those are the corridors that are paramount.

If this government was really interested in what it could have been doing these last six years, then in fact what it should be doing from this point forward is moving forward with SuperBuild, which is the only available infrastructure program now that this government has advanced, instead of talking numbers after numbers that are frankly meaningless or announcement after announcement which again is meaningless. We already noted with interest that to date, after two years of the SuperBuild project, only \$14 million has actually gone out the door; instead, it's been nothing but talk.

What we want and what we need are trade corridors that are going to expedite traffic across our borders because that, for us in Windsor and for Ontario, means jobs, means security.

The plan that my leader advanced is a \$100-million security plan: \$50 million to municipalities to deal with our increased costs. Our policing cost alone is going to have some kind of disadvantage for our local police budget.

These are concrete solutions, things the government should take care of, seriously looking at real solutions and not just espousing more mantra. It's time for some action and a Dalton McGuinty government is prepared to lead by example.

**Mr David Christopherson (Hamilton West):** I'm pleased to enter the debate on the Liberal opposition day motion. Let me say at the outset that we will be supporting the resolution, but not without some serious reservations that I and a couple of my colleagues will be addressing as the afternoon unfolds.

The first one is the whole issue of \$100 million. The first concern we have is that it sounds rather arbitrary. It's a nice, round number and has a nice ring to it: \$100 million. Whether that is sufficient to meet the need or not remains to be seen. Although we're supporting this on the final vote, we're not entirely satisfied the plan is as well thought out as the proponents would have us believe.

Having said that, we also have a concern about where the money is coming from. We agree with the idea that infrastructure spending is crucial for a whole host of reasons, not the least of which is the underfunding of municipalities since this government came to power, the downloading that has put added pressure on local municipal budgets and their ability to maintain infrastructure maintenance programs, let alone to expand them where necessary. It's leaving municipalities, if we take money away from the infrastructure program, that much further behind, because quite frankly even the infrastructure program, SuperBuild, as it's being talked about—and by the way, we agree with the notion that a lot of this foot-dragging is because you're hoping to have these projects all teed up for the next election so that you can hold the photo ops and roll in with nice announcements and try to save whatever seats you can in the next go-round. We believe that is exactly what's going on.

But taking 10% of an inadequate amount to start with, if you look at it strictly from the point of view of a municipality's needs—and it doesn't take long, if you sit in on the pre-budget consultation process, to have the municipalities come in from all across Ontario as they speak to the needs they have—not just on the programs side, and on the programs side the pressures are strong enough, but if you start talking about the infrastructure side, every single municipality that comes in is in need of more and more investment, not public spending and make-work projects, but real investment that communities need to survive economically as well as to provide the quality of life this government says they want local governments to provide.

So we have a concern that \$100 million, 10% of an inadequate amount to start with, would be taken away and used in this fashion, recognizing that the proposed use is a valid one.

We think that to pay for any kind of security measures that are being taken as a result of the current world situation we find ourselves in, there is money there either by backing off on the accelerated corporate tax in-

creases—which, by the way, to the best of our knowledge require legislation that has not yet been tabled, so there's lots of latitude to adjust that to find the money necessary—or you've got the rainy day fund set aside, and I believe there's about \$1 billion there. Both of those would be better alternatives, in our opinion, than taking away from the importance of the infrastructure program.

Having said that, and those are our concerns, the notion that the provincial government has an obligation to assist municipalities is one that we wholeheartedly support.

**1610**

Certainly when we take a look at what's happening—I see my friend from Hamilton Mountain; our ridings about one another. As we reflect on what's happening in Hamilton and we take a look at the number of, I grant you, hoaxes, but when we take a look at the number of calls that police and emergency response units are tending to as a result of potential terrorist threats that may be manifesting themselves in our hometown of Hamilton, we see that the cost is at some point going to cause some real, serious pressure on our police budgets as well as on our other municipal budgets, not the least of which would be public health, which is part and parcel of almost all these responses.

So municipalities need that help. They're still the front line. We can make all the speeches we want here. As wonderful as the OPP are—and nobody is going to say that more than me, as the former head of the OPP—the front-line folks are still in our communities and in our cities. It's going to be the Hamilton police department and the other emergency response units in Hamilton that are going to respond. It costs money, and it also takes personnel—police and other emergency workers—away from legitimate, real issues that are happening on the streets of Hamilton. But they cannot afford to ignore it. Who can ignore, in this climate, a 911 call about a potential anthrax threat? No police department I would support is going to ignore that.

I would like to show the members of the House examples from just one community, Hamilton: "Anthrax Scare Hits Hamilton; Anthrax Alarms Spread." Bear in mind that nothing has happened yet in terms of there being a real, legitimate threat, but when you're in the business of emergency response, you don't sit back and reflect, "Do we think this is real or not?" You go out there. You be there. That's the job.

"Hamilton Prepared to Tackle Anthrax Threat." That's great. That makes the citizens of Hamilton feel good. But understand it costs money to be prepared like this, money that municipalities, and in particular police budgets, don't have.

As of October 19, in an article in the Hamilton Spectator written by John Burman, police said that they had checked out reports of 20 suspicious letters, four of them requiring tests. Five days ago, the same reporter, John Burman, referred to police media relations officer Sergeant Maggie McKittrick, who said that the police at that point—as of five days ago—were responding to five



to seven reports of suspicious items a day. Again, in the context of talking about Ontario that may not sound like the world, but when you're talking about the number of police officers and other emergency response individuals who would be a part of this, that's a significant drain on an already stressed police and emergency response network of individuals.

So the notion the official opposition is putting forward that a lot of this money—whatever amount that might be—should go to municipalities is one we wholeheartedly embrace. Municipalities need the help, and in this case help means dollars. Expertise, that kind of advice, is needed, but I think that's already being provided, either at the federal level or at the international level, as we're hearing with the police chiefs from around the world meeting in Toronto this week. What local communities really need is some money.

I was pleased, and I give the official opposition credit for recognizing that at least 50% of the money—who knows, 50%, 40%, 60%, but at least the recognition that there's a partnership with municipalities, and that within those municipalities lies the initial response to protect airports. We have the John C. Munro International Airport in Hamilton. Without some help from this government, our municipality is going to have to find the money to provide the public part of the security—not the security that the private interests there have to provide. They have different responsibilities under federal legislation. In the times we're in now, we're talking about a different level of security and a different kind of security. It's going to be, at the end of the day, police, firefighters, ambulance, public health, emergency preparedness individuals, and all those folks are paid for overwhelmingly out of the municipal budget.

If this government is serious about ensuring that Ontario is ready, that we look ready and that Ontarians feel satisfied that our emergency services are ready, then there needs to be an injection of money, real support for our municipal partners. In the absence of that, while the announcements of the Premier today were helpful, that's not nearly enough.

I remind the members of the government again—and each one of you has your own city—that I'll bet these are not rare headlines, when you see things about anthrax scares. This is not fear-mongering. This is reflecting in this Parliament what's happening on the streets of our communities. In order to deal with these legitimate responses to potential threat, our municipal police and firefighters and ambulance and paramedics and public health and everyone involved in emergency response need our help. They need the help of the senior level of government, and I hope that the backbenchers would reflect more on the needs of their own hometowns rather than on the needs of their cabinet colleagues who are urging them to oppose this.

Last night we were debating partnerships between the provincial government and municipalities. Here's a chance to put your money where your mouth is. Here's a chance to say, "We are in partnership and here's how we

will show that partnership in a meaningful way: help our local emergency response units." You say you want to do it. You say you want to be partners with municipalities. You say you want to help with brownfields. You say a lot, but without it being backed up by something meaningful, in this case real money being invested, then that's all it is: words. That's not what the people of Ontario and certainly not the people of Hamilton want. They don't want words. They want to know that we're ready, and to be ready means that we're going to have to spend some money, be accountable for that money but spend it nonetheless.

That way, we've got real partnership. I say this as much as possible, Speaker, in a non-partisan way. When the emergencies happen—when September 11 happened, nobody was thinking as a Tory, a Liberal or a New Democrat. We were thinking as Hamiltonians, Ontarians, Canadians, members of the human race on this planet. Politics was the last thing on anybody's mind. As we prepare, or at least be as prepared as we can be, for the potential for future action, we should also be acting in a non-partisan fashion. That's what our constituents expect. That's what our constituents deserve.

**The Acting Speaker:** Further debate? The member for Bramalea-Gore-Malton-Springdale.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Mr Speaker, I got a little carried away in the local discussion about the issues and everything else, so thank you very much. It is indeed a pleasure to speak about this motion.

I certainly want to echo the words of my colleagues from all sides of the House today in expressing concerns about the aftermath of the September 11 attacks and agreeing definitely, as you would agree, that our world has changed since then.

Regardless of political stripe, we all want to see a comprehensive plan that'll provide the best security possible for the people of Ontario in this new age, to live, to work, to pay minimum taxes and to raise our families.

I want to thank my colleague the member from Durham, who spoke on this motion earlier. This is a risky scheme put forth by the Liberals. They want to derail the SuperBuild projects that will energize this province. The Liberals are asking for \$1 billion in instant spending. The SuperBuild fund is a real commitment with real teeth, and projects are only chosen after rigorous examination, unlike shameless Liberal reversals. I do remember, Mr Speaker, as I'm sure you do and other members in this House, about Jean Chrétien's 1993 red book promise of more bridges and more infrastructure. Surprisingly, I don't remember driving on any new bridges lately. That reflects the Liberals' approach to picking a dollar figure—hopefully a big, nice round one, also called a boondoggle. I think it was the Liberal leader who said, "It's not a boondoggle, it's only \$3 billion," whatever that means. Our approach to investment is to assess the need and find the means, and that means finding the means not only from the government but also from the private sector.

1620

Capital spending needs careful studying. The SuperBuild funds are waiting for matching funds in many cases. As you would have seen in the last few months, we've taken the lead and we've promised \$3 billion in transit, but where is the federal government to match that? They're still deciding whether they want to play that game or not. They do want to play the verbal game but they don't want to put up the money where its needed. David Collette and the federal Liberals have broken their promise to invest in public transit. SuperBuild depends on partnerships to make big dreams come true. Unfortunately, our federal partners often disappoint us.

In any case, SuperBuild investments are in fact proceeding and they're proceeding very nicely. In my riding of Bramalea-Gore-Malton-Springdale alone over \$24 million worth of highways and sewer improvements are underway.

Ontario's double cohort students who will occupy 73,000 brand new spaces in Ontario's colleges and universities would be very surprised to hear the Liberals malign the plans for SuperBuild. I've said before, Mr Speaker—I know you were here—that my own daughter, Sonja, is in grade 11 now and she's part of the double cohort. Along with not only the members but the parents whose kids are in that double cohort, I am quite concerned, and I've seen it from not only the government side but also talking to the principals and the presidents of the universities. I've been assured and I've assured myself after talking to both sides of the equation that there will be enough spaces when the year 2003 comes along.

We are proud of the significant changes that SuperBuild has made to the landscape of our province. In fact, the Ottawa area's share of this investment will be more than \$47 million, to create over 6,100 new student spaces. I'm sure Mr Dalton McGuinty would not want to deprive his own present and future neighbours of a place to live and learn, if he takes money away from that.

I invite Ontarians, because I'm sure as they're watching today they must be wondering, what is SuperBuild, how is it progressing? I want them to look at the SuperBuild Web site. Certainly they can access it through my own Web site, which is, as I said earlier in my statement, [www.ramindergill.com](http://www.ramindergill.com).

As I said, SuperBuild is working just fine. We don't need the Liberals derailing the Ontario success story. We can compare Mr McGuinty's panicked reflex to the government's response. SuperBuild and Ontario security are both priorities of this government. It is irresponsible to say that they are in conflict. You would have seen that Premier Mike Harris was the first one to reassure Ontarians that we are very concerned about safety, to reassure the people concerned, to reassure people that some of the threats that might have come through after—to reassure the minorities. People were quite confused after September 11. He's had discussions with the church leaders, with the Muslim leaders to make sure that they have a place here, they are an important part of this

society and there should not be any security threat to any of the minorities, or anybody else, for that matter.

There is a difference between a fund for investment and a one-time spending spree. Most security costs are operational, requiring ongoing commitments. McGuinty's proposed binge will not meet future security needs. Therefore, the Leader of the Opposition, Mr McGuinty, doesn't even understand the difference between capital costs and operational costs. It just goes to show that they are and he is not up to the job.

On the other hand, we take the need for security very seriously. We've been on the forefront of the anti-terrorism response. We've also responded quickly to those in need. We've offered direct immediate financial assistance to those Ontario families torn by their loss in this tragedy. We were the first Canadian government to take such a step. We sent Ontario's chief coroner and other forensic experts to assist the team in New York City. I know firefighters from Brampton, as you heard before, were the first ones heeding the call of duty to go and assist their brothers and sisters in the New York tragedy. We have taken steps to make the province more secure.

We've engaged the services of two very respected experts, Norman Inkster and Lewis MacKenzie, to advise the government. We've created a special unit to help track down those who are in Ontario illegally. We manage these situations well and we take these situations very seriously. Just today we have announced more measures, more resources and a new rapid response unit to guard high-security facilities and a counterterrorism summit to help Ontario develop responses in the years to come. In none of these cases have we been playing politics. We are already doing what Mr McGuinty is proposing. He just wants to take the credit for it. He's trying to rebrand his party. But we know who Ontarians trust to keep this province safe and prosperous. When the economy is at stake or when security is at stake, the people of Ontario turn to the Harris government and they remember that Dalton McGuinty and the members in the opposition are just not up to the job.

Our efforts continue with the attention to health and safety. Ontario's chief medical officer has issued detailed alerts on symptoms and treatment of conditions caused by biological weapons, the specific facts on anthrax, protocols on all aspects of a bioterror response. These alerts have gone to all the major stakeholders. In fact, in January the medical officer issued a memo on anthrax and public health. This memo was sent to all 37 local medical officers of health all over Ontario. This was done long before the September 11 attacks because this is a prudent and security-conscious government.

Additionally, the Ontario government is working with Health Canada on all bioterror-related contingencies like the provision of vaccines. Of course, we have to be very certain that we make ourselves clear that there's no misunderstanding, as in the case of the federal government, when we deal with Health Canada. Our bioterror response has many aspects. It includes the involvement of health officers, Emergency Measures Ontario, hospitals



and local emergency services. We take our responsibility very seriously, like I said.

This motion is asking us to do what is already being done. Like all Liberal ideas, it says spend first, think later. We don't need a fancy name like Ontario security fund to protect Ontarians. The people of Ontario deserve a government that's strong and not screeching. Instead of playing shell games with promises and taxpayers' dollars, we are acting immediately and firmly to protect the people and the economy of Ontario. Needless to say, we will not be supporting this motion.

**Mr Michael Bryant (St Paul's):** You know that a government is adrift and spent and tired and getting tired when it cannot even fulfill a law-and-order agenda that but 10 years ago it called its own. Today we have a great opportunity for the people of Ontario to consider on the one hand the McGuinty security plan and on the other hand this announcement from the government of Ontario, which arrived, I want you to know, in this humongous envelope. This is what I received as a critic to the Attorney General in terms of a statement. It came in this big envelope. I thought maybe it was going to be a big announcement, so I opened it up and out came a little piece of paper, and I can tell you after reading it that the envelope didn't justify the contents of this announcement, which could have, frankly, been put on a small Post-it note.

1630

On the one hand, Dalton McGuinty is calling for \$100 million to be set aside in a new Ontario security fund to pay for security improvements and to help municipalities improve emergency response plans. To give you an example in the riding of St Paul's, right in the heart of the riding the second-largest water reservoir in the largest city in Canada was subject to a break-in, and there was great concern as to what might have happened to this water supply. It turns out the water is safe. It turns out that in fact the water supply wasn't touched and that the mystery liquid found near the reservoir was in fact not toxic.

When I asked the Solicitor General of the day to deploy additional police officers so that we could at least, during this time of urgency, restore personal and economic security to Ontarians, and in particular with respect to this event the people of St Paul's, the Solicitor General told me to stop fearmongering. I say to the Solicitor General, to the Attorney General and all ministers over there who have accused the opposition of fearmongering to take a close look at your announcement and ask yourself whether or not you in fact are guilty of stepping up the rhetorical agenda at the same time as your agenda of action remains frozen in a paralysis of analysis.

The Attorney General says that they're going to vigorously prosecute hoaxes, bomb threat hoaxes, to the full extent of the law. Well, what were you doing before this announcement? He refers to this as an announcement. The Attorney General says he's going to create a counterterrorism task force of crown attorneys. Well, I certainly agree that specializing attorneys on this par-

ticular task is important. But there are no new crowns announced here. There's nothing new here.

Lastly, there's this incredible announcement with respect to asking the federal government for a new Criminal Code offence for uttering bomb threats. Well, surely the Attorney General knows that section 264.1(1) makes it an offence to utter a bomb threat and that alternatively, under section 430 of the Criminal Code, it would be an offence to utter a bomb threat. He knows that this is already an offence, which means that this announcement is nothing less than a hoax.

When we asked the government of the day to restore security for water reservoirs, nuclear plants and water treatments, this government did nothing. When we called on the government to close birth certificate registration loopholes, the minister laughed it off. When we called for the government to in fact implement antiterrorist amendments to Bill 30 on October 22, this government voted those amendments down. Now we find out in a re-announcement that it's going to try to do exactly what we have been calling on the government to do, which, again, was referred to by the other side as fearmongering.

Lastly, when we asked the government of the day to sign on to the national counterterrorism plan, the Solicitor General admitted that in fact the government had not done so and provided no indication as to when that would happen.

It's time for the people of Ontario to understand that when it comes to providing personal and economic security, the McGuinty plan is the answer, not this hoax of an announcement from the government today.

**Mr Peter Kormos (Niagara Centre):** I will be speaking to this matter for as much time as I'm allowed, because my colleague, the member for Timmins-James Bay, Mr Bisson, wants to speak to it, as you've heard from Mr Christopherson. We are eager to debate this resolution. We support it; however, not uncritically.

One of my real fears, one of my real concerns, is seizing on the, yes, tragedy of September 11 and responding to it in such a way that it amplifies and extends its impact, in other words, playing into the hands of terrorists. Let's understand what the goal of terrorists is. The goal of terrorists is to create fear, to generate disruption, to shut down the day-to-day operation of a society, be it a community or a nation or a continent. I say to members in this assembly that we should be very, very cautious about doing and saying things in response to September 11 that in fact make us not only victims of the terrorists, but in a perverse way almost collaborators, because we're doing what they want us to do, because they want us to amplify and generate the sense of fear.

What we need is courage, and we need a united sense of resistance and condemnation of the type of violence that's inherent in terrorist activity. We have to let terrorists know that, no, they cannot hijack our communities, our country, our continent; they cannot hijack our civility. We have to let terrorists know that they cannot hijack the freedoms that we value in this country that have made this country so attractive to so many people for so many generations and decades. We have to let the

terrorists know that they will not divide us by provoking more racism than what we have had to endure to date.

That's why I say I believe all of us have to and should be incredibly cautious when we approach these matters. That's why I joined in this debate and I join in cautious and not uncritical support of the resolution, the motion put forward today. I'm very concerned that it might have as one of its motives seizing upon the tragic events of September 11 and, in a peculiar way, exploiting those in a manner that would make the terrorists pleased.

I was interested in the announcement by the Premier earlier today, because it's impossible to discuss this resolution without the comments of the Premier. I was shocked and disappointed that the Premier today, when he rightly acknowledged our police as among those front-line forces that help make us safer and more secure, be it against terrorists or any other type of criminal, I was shocked and amazed that the government today, the Premier, in announcing its funding, didn't consider firefighters, those women and men who are there on the front lines in my own communities and in each and every one of yours and who risk their lives and who perform heroic deeds on a daily basis in this province, just as they did in New York City on September 11.

Just as the Premier and other members in this Legislative Assembly might be concerned about the capacity of our police forces, understaffed and under-resourced as they have been now for around seven years, to confront and deal with some of these catastrophic scenarios, we should be equally concerned about the capacities of our incredibly understaffed and under-resourced firefighting services, our incredibly under-resourced and ill-treated paramedics, and indeed, in terms of what is the reality of the assaults that confront people in communities in the year 2001, the betrayal of public health services in community after community that have found themselves with services increasingly downloaded on to them, working with fewer and fewer dollars, cutting to the bone and then being told by this government that they have to somehow tighten their belt, when tightening that belt means putting people at risk on a daily basis.

Mr Bradley is going to be speaking to this motion. He should know that I prevailed upon Mr Bryant not to use all of the balance of time for the Liberal caucus, because I'm confident that Mr Bradley, in speaking to this motion, will remind—

**The Acting Speaker:** I'd just like to remind the member that we need to use riding names, not proper names, in this place.

1640

**Mr Kormos:** Mr Bradley from the riding of St Catharines. I'm confident that he will raise, as I am going to now, what SuperBuild has meant to the people of Niagara region and the communities of Niagara region: \$39 million announced not once but indeed at least twice, possibly thrice, and after the expiration of a year or a year and a half plus, not a single penny has flowed. The audacity and arrogance of the Premier to stand up today and somehow talk about new funds to keep Ontario safer when Niagara region and the communities that are part of

it had serious commitments to their own infrastructures, very much a part of maintaining the health and safety of those communities, be it water systems, be it sewage systems, be it safe and adequate roadways—that's how you keep communities safe. Today, after denying the people of Niagara region and those communities and that regional municipality even a penny—not a cent, not a nickel, not a dime of that \$39 million has flowed—the people in Niagara and the residents of those communities that make up Niagara region are becoming increasingly concerned about their public safety, about the quality of their drinking water systems, about the quality of roadways, about the quality and extent of the resources that are being made available to municipal fire services, about the quality of police communications and the technology that police in Niagara should have available to them but don't because of the scarce resources available to the regional municipality, flowing 100% from the enhanced and incredible weight and burden of the downloading on the municipality.

I have no qualms about supporting a proposition that there be some money from SuperBuild to the tune, yes, of \$100 million freed up immediately. Lord knows we've waited long enough for the meagre amounts that have been promised to date. The gross mismanagement of SuperBuild to date on the part of this government, certainly as it applies to Niagara region as I know it applies to Sudbury and other communities across the province, has already put people at risk—it has. For the Premier today to talk about \$4.5 million—look, resources appreciated for the Ontario Provincial Police.

Niagara is a special part of the province. It's a border community. A whole lot of the stuff we've been talking about since September 11, the cops down in Niagara know about already. They've got two major border crossings. They've got Niagara Falls, they've got Fort Erie and indeed they've got the Lewiston-Queenstown Bridge. The Niagara Regional Police are actively engaged in dealing with a whole lot of the phenomena that occur as a result of our being part of one of the largest border crossings in all Canada. We know all about organized crime—drug trafficking and other activities that organized crime is attracted to and that involve international activity. We know all about it, and our police have carried more than their share of the load as a result of not only knowing about it but being confronted with it on a daily basis. Our courts know all about it, and our crown attorneys' offices know all about it. I put to you that the small amount of what is one-time-only funding today will do precious little to alleviate the incredible burden being carried by the Niagara Regional Police force with their exceptional and special policing duties already existing down in Niagara region.

The omission by the Premier of the firefighters, the failure on the part of the Premier to include firefighters as recipients of some enhanced funding because of the special new responsibilities—not just because of September 11 but certainly brought to our attention as a result of September 11. I appreciate and acknowledge and agree that prior to September 11, we in North



America, blessed as we have been by literally centuries of being untouched by this level of violence, felt ourselves I suppose immune from it. But the world has changed, and I put to you that as much as it was changed for North Americans by September 11, it was changed prior to that by Timothy McVeigh in Oklahoma City in the bombing there and the incredible catastrophe and loss of life. This was not part of our reality. This wasn't part of our sense of what could or should be anticipated in our culture in North America. I put to you that the need for enhanced caution and to give our front-line emergency services the proper tools to deal with these catastrophes precedes even September 11. It's not a pleasant thing to have to acknowledge, but let's put this in its fair and accurate perspective.

I believe that, yes, our water systems should be secure, not only from the prospect of any sort of vandal or criminal, of anybody of any criminal ilk invading them and violating their integrity and infecting the water supply of a community, but secure in terms of being as high-tech, as efficient, as modern and as safe as the engineering will permit, and similarly with our sewage systems and with our capacity via our public health departments and, I dare say, our whole health care system, our hospitals.

Let me put this to you. We now have in Niagara region venues, places—the Niagara Falls casino is one, for instance; the Fort Erie Racetrack is another—where there are, I presume, thousands of people at any given point in time. Let's not dwell on the September 11 phenomenon, but on anything that happened before that that has simply enlightened us as to the enhanced capacity of human beings to do things we thought human beings could never do. But those venues, should there be a catastrophe at any of them, would generate a load—we're talking about personal trauma. Our emergency wards in Niagara, be it Welland County General, be it the two hospitals in St Catharines—one already crippled by this government, Hotel Dieu—are already crowded, lined up on to the street with the day-to-day events that happen in people's lives, never mind a catastrophe at any one of those venues in Niagara that attract and have in them at any given point in time huge numbers of people.

I put to you that an honest, sincere, genuine effort to upgrade those services in response to the potential for disaster that this new millennium poses would have gone far beyond mere millions of dollars for some very specific areas of policing—I want to speak to that in just a minute—and would have recognized the relevance of other front-line emergency services: firefighters, paramedics, public health departments, and our hospitals and our health care system in general.

Quite frankly, a fast-tracking of Ms Churley's Safe Drinking Water Act would go a long way to securing our water supply systems. Was it only September 11 that awakened us to the catastrophes that can occur when infrastructure is not attended to, when it doesn't receive appropriate resources either to maintain it or to upgrade it or to ensure it's operating properly? Was Walkerton not a catastrophe? Surely it was. Small-town Ontario, where people die and thousands of others are sick from drinking

the tap water, and yet nothing in the Premier's announcement today addressed that reality for Ontario and Ontarians in the year 2001.

For this government to make the announcement it did today, this paltry announcement, in the shadow of its termination here in the province of Ontario of the jobs, the firing of five internationally respected biohazard scientists—one of them, Dr Martin Preston, having developed the method for fingerprinting *E. coli* 0157. We're all familiar with what that is now, aren't we?

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Another, Dr Ching Lo, chaired the 1999 LAB Ontario conference, Terrorism and the laboratory of the future, an expert called upon by the government to work on the West Nile Virus project; Catherine Smitka, who received the Amethyst Award from the Premier for groundbreaking work on infectious diseases; Dr Norma Harnett, noted expert on antibiotic-resistant superbugs; Dr Stephan Wang, an expert on chemical toxins. The province of Ontario fired this expertise, terminated their jobs. They were Ontario's own. They were made-in-Ontario front-line experts, internationally acknowledged, who made our communities secure against any of the catastrophes we're contemplating during the course of this debate. This government, this Premier, fired them, sent them packing.

I recall the response of the Minister of Health when confronted with the tragedy that the firing of these people created for the people of Ontario. He said, "Oh, well, we can access the international centre for disease control in Atlanta." When we called the Centers for Disease Control in Atlanta, they said, "Are you kidding? We can't deal with our own backlog. We're not about to do Ontario's work for them."

This Premier, this government, fired five of the world's leading scientists, who were dealing very specifically with the biohazards, the toxins, the superbugs that are very much a part of the sad reality of life in the year 2001, whether we're dealing with terrorism or whether we're dealing with the natural catastrophes that can confront us or the type of catastrophes, the ilk of catastrophe, that can flow from this government's abandonment of Ministry of the Environment services—slashing staff, destroying the role of inspectors so that there simply aren't inspectors there to inspect the water we expect to be able to drink.

Earlier today I was compelled to raise in this House again the tragic death of Robyn Lafleur down in Port Robinson at the Esquire firecracker factory. They were dealing with explosives—gunpowder. The coroner's inquest was just held last week, where a senior official from this government's Ministry of Labour said it wasn't the job of the Ministry of Labour or its officials to ensure safe workplaces. That was the unrefuted evidence that was given, sworn. That was the evidence that was part of the explanation of why that woman lost her life in the most tragic of ways. Further evidence was that that factory hadn't been inspected or looked at by an official for four years prior to Robyn's being slaughtered in that same workplace. And the manager of that plant, in her

own evidence, acknowledged she had never read, never cracked the binding of, the occupational health and safety literature she had, and that she made up the rules when it came to plant workplace safety as her whim moved her on any given day.

If we're going to talk about making Ontario safe for Ontarians—and we should be talking about it. We should be talking about it as a result of September 11, but we should also be speaking about it as a result of the six years before September 11, 2001. I'm not in any way trying to trivialize or minimize the catastrophic nature of the September 11 attacks on the United States; it would be just impossible to do that. But let's understand that an evil act done under whatever guise is still the same evil act with all the incredible risks inherent in it for the public of any given community. Here of course we're speaking about members of this provincial community, as we should, Ontarians who deserve far better than they've gotten from this government.

You know, Speaker, that New Democrats have been very concerned about this government's failure to very specifically address the safety of people in this province who have become the targets of haters and hate-mongers—very specifically about those people. I'm speaking now of women who, as Muslims, wear garb, the head covering or the hijab, and who make themselves what I have called visible Muslims, because of course Muslims come in all colours, all ethnicities; we know that. But it's that very specific community of Muslim women, old and young, who are now prisoners in their own homes because of their fear of walking the streets of their own communities because they will not abandon their faith, notwithstanding the intense level of fear they have about being threatened or, yes, attacked.

We are incredibly concerned about the prospect of ethnic or racial profiling in the effort to hunt down terrorists.

We in the New Democratic Party are incredibly concerned about the prospect of the attack on the traditional rights and liberties of Canadians. We wish there were far closer scrutiny of the current amendments to the Criminal Code that are being contemplated and that are close to being passed in the federal Parliament, because once again, to put ethnic communities at risk of attack or even put them in positions of fear, to attack all people's civil liberties and rights, rights that are an inherent part of not just being Canadian, but of standing on Canadian soil—I won't talk about the rights of Canadian citizens; no, those rights that are Canadian rights are the rights of every person who steps foot on Canadian soil. The diminishment of requirements for due process in the zeal for seeking out real or imagined terrorists creates risk and fear as well.

The resolution before the Legislature is a modest one. We comment, I suppose inevitably, on the arbitrariness of the numbers, but we also acknowledge that there is some urgency about flowing SuperBuild funds out into the communities of Ontario, because this government has failed to do it. This government has promised it over and over again but has failed to do it. We acknowledge and

insist that the flow of those funds has everything to do with public safety: public safety in the context of international terrorism, public safety in the context of government negligence and public safety in the context of a government that has stripped the role of supervisory and regulatory bodies within any number of ministries, putting whole communities at risk here in Ontario.

Those monies should flow and flow properly. Not only should our police forces be given more resources to confront crime and criminals, but our firefighters need those resources too, as do our paramedics, as do our public health departments, as do our hospitals and as do all those people who are eager to pursue the goal of public and community safety in Ontario.

**Mr Gerry Martiniuk (Cambridge):** Let me begin by emphasizing that this government takes the security of Ontario very seriously. Public safety is and always has been our number one priority. Following the tragic events in the United States, we made a commitment to ensure that Ontario is both better protected from terrorism and continues to be an open and tolerant society. This government always lives up to its commitments.

Let me tell you how my friend Minister Turnbull, the member for Don Valley West, and his Ministry of the Solicitor General are fulfilling those obligations.

First of all, Premier Harris announced \$4.5 million for the Ontario Provincial Police to establish a special provincial response team comprised of highly trained and specially equipped officers. This will be a rapid response unit, should Ontario be threatened or attacked by terrorists.

We are also establishing an anti-terrorism unit at the cost of \$3.5 million. This unit will work in partnership with federal, provincial and municipal police services. It will conduct multijurisdictional intelligence operations targeting individuals and/or organized groups involved in terrorism.

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We are also providing \$1 million to make sure our front-line emergency workers have the necessary equipment to respond to chemical, biological and other kinds of attacks.

Finally, the Premier announced that the Ministry of the Solicitor General will host a counterterrorism summit to find better ways to combat terrorism.

These initiatives are in addition to the earlier steps taken by this government.

Following the tragic events of September 11, Premier Harris has named two eminent Canadians as security advisers. They are retired Major General Lewis MacKenzie and former RCMP Commissioner Norman Inkster. These two men have extensive and distinguished careers nationally and internationally. Major General Mackenzie served Canada courageously for 33 years in our military. Among his contributions to world peace and security was his mission as chief of staff of the United Nations Protection Force in Yugoslavia in 1992. Major General Mackenzie commanded the troops of 31 nations in Sector Sarajevo. Mr Inkster has a long and distinguished career in policing. He served as commissioner



of the RCMP from 1987 to 1994. He was also the president of Interpol from 1992 to 1994. He continues to serve as Interpol's honorary past president.

Furthermore, we are advocating as strongly as possible that we need a North American security perimeter and new ways to guard against the entry of criminals and terrorists.

The Harris government has also pledged our cooperation to international intelligence and law enforcement officials. But that is only the beginning.

We have asked for a comprehensive review of Emergency Measures Ontario and all aspects of emergency response. This review is focusing on identifying, minimizing and eliminating risks, improving emergency plans and training, ensuring communications and notification networks are up to date, and drafting recovery and assistance plans for communities affected by emergencies. We will be introducing legislation that, if passed by this House, would require all municipalities to maintain emergency response plans and to train their employees.

Let me remind you how well Emergency Measures Ontario responded to the tragedy in the United States. EMO's provincial operations centre swung into action within minutes of the first plane striking the World Trade Center. It remained at full activation until the situation in the United States quietened. Although there was never an emergency here, EMO monitored the American situation and coordinated Ontario's response to it. It set up telephone donation lines to deal with the outpouring of offers of assistance. With the Ministry of Transportation and the OPP, it coordinated additional assistance along the highways and border crossings, as well as assisting local police services. And it established a Web site to help ease traffic congestion by providing better and faster information about conditions at border crossings.

The head of public safety in Ontario and Ontario's chief coroner, Dr James Young, went to New York City, along with the deputy chief coroner, Dr Barry McLellan. They worked as medical liaisons between the Canadian consulate in New York and local emergency relief officials. They also provided both important information and emotional support for the families of Ontario victims of the World Trade Center disaster.

But that is only the beginning. For the last six years this government has dedicated itself to ensuring that the citizens of this province are safe. Years before the tragic events of September 11 this government followed through on its commitment to put 1,000 new police officers on the streets of Ontario. As well, the new adequacy standards regulation came into effect in January of this year. It is now mandatory that all police services in Ontario develop an emergency plan that addresses the roles and responsibilities of members of the police service. The government will build on the provisions of this regulation with regard to municipal emergency plans and training in the wake of the events of September 11.

In closing, let me reiterate that no one takes safety and security in Ontario more seriously than the Harris government. Public safety is the number one priority of

this government. We are committed to making sure Ontario is both better protected from terrorism and that it continues to be a tolerant and open society. You have our word that we will continue to work with all levels of government to strengthen the safety and security of our province.

I ask every member of this House to work with the government during these trying and difficult times. We will all need to remember that the public needs reassurance and not fearmongering.

**Mr Bruce Crozier (Essex):** I am rather disappointed and in fact tired, along with many of my constituents and the citizens of Ontario, with the bickering that goes on, particularly when there's a crisis. I'm not about to stand here today and put down anything the government has attempted to do as a result of the events that took place on September 11.

We're asked often, as an opposition, to be constructive, and what is being suggested by Dalton McGuinty's motion today, that we establish an Ontario security fund, is that it will complement what the government is doing. We feel there are some areas the government hasn't stepped into, and one was mentioned earlier today by the member from Niagara Centre, and that is the firefighters. They were on the front line and have been for some 48 days in New York. Our firefighters have gone to help and assist, and yet there's nothing in today's announcement for that. This would complement that because half of the fund we're suggesting would be invested in municipalities.

I suggest, as well as firefighters and upgrading their equipment and readiness, our water plants. I thought we would have learned from Walkerton that there's much more we can do to make our water plants more secure. We had an example in St Paul's riding where there was no security and the perimeter of a water plant was breached. Thankfully it wasn't a serious one. We can help our municipalities increase the security and the early warning detection of any problem in our water systems by taking some of this money we're suggesting be made available to our municipalities.

It would also assist in the area of public health, making sure our public health services are ready for that day we hope never comes again, but that they are ready and can make us feel more secure because they are.

One other area I'd like to mention is emergency measures. Each municipality is supposed to have and will be required to prepare an emergency measures plan, which will cost money. Beyond that, not only will the plan cost them money but the ability to carry out the plan will also require some funding. There was nothing about that in the announcement today, but this fund we're suggesting be established would assist in that.

All I'm asking the government to do today is to take this motion in the spirit in which it's given. It's an attempt on our part to add some constructive measures to what the government is already doing. Just this once I think the people of Ontario would like to see the government of the day accept some measure of support for what they're trying to do.

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**Mr James J. Bradley (St Catharines):** I want to indicate my strong support for this motion this afternoon. It's compelling, reasonable and constructive, and I think many of the arguments that have been advanced in its favour are very good arguments.

First of all, there is an opportunity to advance some infrastructure programs. The reason is—the member for Niagara Centre mentioned this—we have met with our local elected representatives who have said, "Where on earth is the SuperBuild money?" What I've said to them is, "SuperBuild is simply all those grants you used to get."

They came from various ministries and they were based on the needs and requirements of the community. I can remember, as Minister of the Environment, that the environment staff would come forward with a list of recommendations—it didn't matter whether they were in government ridings, opposition ridings or anything political about them—of what the needs were in terms of the environment and the applications made. They would be processed on a timely basis. The program would be implemented. Jobs would be created and the environment would benefit.

Now we've got this SuperBuild program, which is constipated somewhere in the apparatus of this government. It is to be controlled politically, quite obviously now, and second, it is to have its announcements made as close to the election date as possible. That's what it's all about.

Dalton McGuinty, in his suggestion to the government, has said, "You have these programs that are on the books, these projects that are right there ready to proceed. People have been making application. People have been asking for this kind of investment on the part of the government. Why not proceed with those now when we have a lull in the economy, a downturn in the economy?"

The government instead has said it's going to give a tax gift to the corporations of this province of over \$2 billion, a Christmas present, if you will, for the corporations. That, I think in the view of most economists, will make virtually no difference, whether you accelerate that or indeed whether you give that particular tax cut. Instead we should be investing that money in infrastructure and the needs of the province, in things such as health care.

I saw the finance ministers in Ottawa and there they were, large as life, asking the federal government for more money, on the one hand demanding that the federal government, as my friend the member for Brockville would, spend more money on security, police and things of that nature, and at the same time you have the finance minister saying, "Please give Ontario more money for health care," and the finance minister of British Columbia too.

If they have money for these huge tax cuts, surely they have money for health care. I can only come to the conclusion, and unfortunately nobody in the media down in Ottawa asked this question of the finance ministers—I wanted them to; they didn't. I would like them to ask the question, "Don't you really want that money to pay for

your tax cuts? You don't want that money to spend on social programs, on health care or education. You want it to pay for tax cuts that are going to cost your treasury dearly and force you into a deficit position."

I think we have to put that on the table, and I challenge the Ottawa press gallery, next time we have a gaggle of provincial ministers down there, to ask that particular question.

I think our suggestion that there be greater security at nuclear plants and water plants and other facilities is addressed by this.

I believe that the Conservative government today is preoccupied with a leadership campaign and is not dealing as assiduously as it should with the issues of the day.

I think our program is a reasonable one. I'm glad to see we've had some very constructive suggestions, and I implore members of the government to accept those suggestions and implement them. Of course, I will be the first to applaud if they do so.

**Mr David Ramsay (Timiskaming-Cochrane):** I'm surprised more members aren't taking the opportunity to speak on this opposition motion today, because I think it is a very important motion that has come forward by Dalton McGuinty, the leader of the Liberal Party, after the events of September 11, which I know shocked everybody around the world, let alone us in Ontario who have been very close to the events that have happened in Washington and New York. I know that while we need to get on with our lives, be vigilant but still get on with our lives, it's very hard sometimes to change the focus from the bombardment we get from the constant 24-hour newscasts that we have on these news networks and all the events that are happening.

It's important that we have strong leadership right now from our governments, and that is the effect that this motion is trying to accomplish by bringing this forward right now, to say that the Ontario government needs to establish this Ontario security fund. This fund needs to be activated immediately in order to allow not only our provincial security forces but also our municipal emergency operations, the municipal police forces, to have the resources required to do the job not only of the day-to-day emergency work that we've been used to up till now, but also to try to anticipate and to react to some of the unthinkable things we've seen over the last little while. This is going to be very important.

As we know, across Ontario there never has been a mandated emergency service delivery at the local level. We have let the municipalities decide whether they want an emergency service plan. It's up to their discretion, and we've never mandated that. I think we now would all agree in this House that it's important that all our municipalities be prepared for the absolutely unthinkable.

Who would have thought before September 11 that people would have commandeered airplanes, fully loaded with fuel and passengers, and crashed them into buildings? Nobody would have imagined that. Now we see the anthrax scare in the United States: in New Jersey, Washington and now New York City. Again, this is something that we need to be prepared for. We know that not only is



that a threat but that other biohazards can be used as a weapon. It's sad for us to acknowledge that the world has changed, but that's the sad reality: the world has changed, and we have to be ready for that. To do that, we have to make sure that our municipal partners have the resources for that. We can't continue to download responsibilities to our municipalities without giving them the resources to do the job.

As we've seen in the United States, much of the reaction to these emergencies does happen at the local level, and that's right and proper. While national and provincial agencies can obviously help oversee and offer some expertise that the local levels cannot provide, the very initial first response happens at the local level. We have to make sure, as representatives of the provincial government, that our municipalities have those resources to respond, to react in a timely and effective manner to all of these potential disasters. We have to be ready for this. We have to basically bite the bullet and say that monies are going to have to be earmarked from the general revenues for these new responsibilities that unfortunately have been foisted upon us. This is going to be our task, and we have to make sure that these responsibilities can be carried out, especially at the local level where, as we know, from all the downloading that has happened through the last six years of the Harris government, the resources are stretched to a minimum. Our municipalities are having a difficult time trying to manage all the responsibilities they have. And since September 11, we have a whole new set of responsibilities that these municipalities are going to have to potentially face, and they must be ready for that.

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Another aspect of this motion that I think is very important is that these events have also caused an incredible ripple effect through the economic viability of North America and around the world. This is the time when governments can step up to the plate by investing in many of the needs we have out there, particularly a lot of the infrastructure needs across the province. This is very important. Some immediate work that we know is out there that governments and our municipalities require—we've got to make sure these needs are met.

I'm pleased to stand in my place today to talk about this. Of course I'll be supporting this motion, and I ask all members of the House to do so.

**Mr Dominic Agostino (Hamilton East):** I'm very pleased to rise in support of the resolution put forward by my leader, Dalton McGuinty. It's a resolution that makes a great deal of sense, and a plan that makes a great deal of sense. If you look at the horrific tragedy that occurred on September 11, which other members have spoken to—just unthinkable, unbelievable acts of barbarism—we as elected leaders have a responsibility to respond appropriately and in a fashion that is going to make sure Ontarians are safe.

What we've had from this government to date is nothing more than rhetoric: a few feel-good announcements but very little concrete action to deal with a threat to this province. What our leader has put forward is a

plan that makes a great deal of sense, a plan that is going to help stimulate the economy of this province, unlike the government across the way. They're basically obsessed with corporate tax cuts. They think the answer to every problem is simply to give their corporate friends more money and that's going to have some sort of trickle-down effect. The reality is, that is not the answer today. The answer today—the plan that Dalton McGuinty has talked about—will lead to a much more direct stimulus to the economy and our infrastructure that has been put in place.

The government says this going to derail the infrastructure program—the SuperBuild fund—that the government has put in place. The reality is that the SuperBuild fund has been nothing more than a political slush fund for this government. You announced \$3.4 billion. You should have spent \$1 billion by now, and all you've spent is \$14 million. Here's an opportunity: instead of playing politics with this and having the Premier or the new Premier, whomever the government picks, run around the province three months before an election and re-announce projects that have been announced, our plan would immediately put this money into those communities, advance the infrastructure programs and ensure that instead of playing politics, we're doing something positive and constructive to help Ontarians deal with this very serious problem we're facing today.

This resolution also addresses a real plan to help municipalities. We all talk about a municipal response plan. We all talk about the fact that to some degree municipalities have a plan in place—some more than others. The reality is that any plan that was in place before September 11 has to be dramatically different after the incidents of September 11. Those plans would never have imagined the type of horror we saw on September 11. As municipalities work to develop new plans, it's also going to cost a lot more money. This province, this government, has a responsibility to ensure that municipalities across Ontario have the budget in place, have the ability to properly respond to emergency situations.

At a meeting the other night, I was talking to our chief of police, Ken Robertson, and I discussed with him what is the ability to respond to these types of emergency situations? He said, "Frankly, we need more financial help. We need specialized provincial help. We need more resources at the municipal level, which have to come from the province, to deal with this."

We believe the Dalton McGuinty plan, the Ontario security plan, is something that should be adopted, should be moved, should be fast-tracked by this government. We think it will stimulate the economy. We think it will give people a sense of security to some degree, although we can never again be secure the way we were before September 11, regardless of what governments do. But it does give people a sense of security knowing that something is being done.

We hope this government will do the right thing today, will stop playing politics with this fund and will help the people of Ontario in some concrete and direct way the people of Ontario in regard to this.

I hope we support the resolution today. I congratulate our leader, Dalton McGuinty, for a bold and visionary plan here that will address the issues we have in Ontario today.

**Mr Dave Levac (Brant):** I appreciate the opportunity to speak, but I want to start by complimenting and praising my leader, Dalton McGuinty, for being a leader. The difference that we're hearing from one side to this side is the fact that we have some true leadership. That means taking some decisive actions, and those actions are explained several times by my colleagues on this side.

What I want to do is speak to the people and let them know that there are some things you're going to hear from that side, there are things you're going to hear from this side, and it's started. Because starting today—actually, it's been going on a little bit earlier—they are doing their little political game of branding. They're going to come out and say the things they've been saying since 1999 because they paid their lobbyists, they paid all of their PR people and their political minds to come up with, "What do we do and how much money do we spend in order to win the election," in order to tell us that our leader isn't a leader? That's what they've done. They spend millions of dollars doing that.

So here's what they're going to say from here until the next election. They're going to say Dalton McGuinty is not up to the job. They're going to say—and here's the key one. On top of that they're going to add this new one that they've now got the new spin on: "Be careful because they're now going to go into the tax-and-spend mode." That's what they're going to say, and I just want the people to know that that's all you're going to hear from that side.

Now, let's take a look at the idea—I want to make it clear that there are two more things we need to do right now, and that is to get rid of the spin from that side that they've spent all these gazillions of dollars from SuperBuild. Let's review for you the exact information that's available on anyone's Web site, even on that side.

The name of the fund is SuperBuild Millennium Partnerships. Its purpose is to invest in infrastructure and environmental projects, water and sewer, public transit and urban centres. The date it was announced: May 2000, in their budget. Their funding commitment: \$1 billion over five years. Funds that should have been spent in 2000-01 and 2001-02, for that two-year period: \$400 million. We did our homework, and guess what? How much have they spent of that to date? Four million dollars.

Ontario small town and rural infrastructure, OSTAR, to invest in rural infrastructure and economic development: when was it announced? May 2000 budget. How much funding committed? Six hundred million dollars over five years. Funds that should have been spent in the two-year period mentioned before: \$240 million. How much spent to date? Nine million.

What about sports, culture and tourism partnerships, the SCTP program to build and enhance sports, culture and tourism facilities? May 2000 budget: \$300 million

over five years; \$120 million supposedly spent in the two-year period. How much spent? One million dollars.

Public transit investments, expanding public transit structure, September 2001: \$3 billion over 10 years. How much should have been spent? Three hundred million. To date: zero.

And it goes on and on and on. So that takes that myth and blows it apart.

Just today, firefighters across the province are now starting to find out their municipalities don't have the funds, and the fire marshal is threatening to come in because they're not spending money because the government is not giving them the money to do so. Not one word spoken today by the Premier of this province on how he's going to invest in the firefighters of the province of Ontario.

Here's something else. Two more units created; we now have 24 special units of the OPP, not counting the special units in all municipal forces. Here are some of the units that are already in existence in the OPP: the victims' support unit, the physical surveillance unit, the photo surveillance unit, the geographic profiling unit, the criminal profiling unit, the field services unit. They also have an anti-rackets unit and many, many other units that could do the job.

Quite frankly, we have to be careful to say to this government, "Let's make sure you're talking with everybody else. This is a collective idea."

Finally, last but not least, emergency measures. The Solicitor General has a report on his desk that's been there since June 2001—

**The Acting Speaker:** Thank you. Further debate?  
1730

**Mr Joseph Spina (Brampton Centre):** I'm pleased to speak to this motion. In response to the motion that was made by the leader of the official opposition, if I read it correctly, what he says is that he wants to establish an Ontario security fund—I thought that was a little funny, because we have an Ontario Securities Commission; it could be really confusing, but nevertheless—with half of the funds being directed to security projects at the municipal level. I'm a little puzzled, because there really wasn't much beyond that. If you're going to have leadership, I think you should do it from the provincial level.

This government has not waited for the opposition to come forward with a vague proposal but in fact has actually made specific commitments, beginning immediately after the disastrous days of September. We started out within a few days of the announcement of help being needed and said that we would commit \$3 million to immediately help the families of victims from Ontario that were injured or died in the attack in New York City.

More recently, of course, we've just completed most of the bill on vital statistics and clamping down on the issuance of additional birth certificates. I know that in fact there was an amendment to the bill in committee the other day from the member for Brant, which was an excellent amendment to the bill, and we were very



pleased to adopt it as part of the bill. Together, we now have, I think, a bill coming back to the House that is good, that is strong and that all parties will be comfortable working with in making sure that people do not create or use additional birth certificates to obtain false identification for nefarious purposes.

But I want to remind people of the commitments that the Premier made in his comments earlier today and some that are in fact coming over the next several days from various ministries in very specific ways. The \$4.5 million to create a new rapid response unit of the OPP: This new unit will be specially equipped to combat terrorist threats and provide protection for our nuclear facilities and also most particularly for our water treatment plants. That is together with the other unit that the Premier announced, that will be looking at a special squad of front-line police officers with the necessary equipment to respond to chemical, biological and other kinds of attacks.

We know there are two kinds of biological attacks that can take place. Basically they're either airborne or they are communicated through either water or other substances. The reality is that probably the easiest way to engage in some sort of chemical or biological attack is through our water system, and therefore it's clearly identified as a paramount area of protection that we require.

We aren't doing this just now in response to the attacks of September 11 and the threat of anthrax, of course, which has gone on in recent weeks. We began this process, actually, last year after the difficulties that were experienced in Walkerton, where clearly there was a set of guidelines that were there for people and the accountability for those guidelines really was never put in place and was not very well enforced. So it was important, and we acted immediately after it was determined what the cause of the problems was in Walkerton, that we had to clearly put in very clear-cut regulations, not just guidelines, under legislation, with a very clear-cut procedure for reporting, monitoring and accountability for what was going on in the monitoring of our water supply systems. We began way back then to act for the better safety of the citizens of our province.

One of the things the Premier also mentioned is that we'll be investing \$3.5 million in a special anti-terrorism unit that will proactively work to investigate and track down terrorists and their supporters. I think in some of the news we saw today it was determined that there were at least five people who seemed to be very actively engaged in underground activity, or whatever the phrase is—it escapes me at the moment—people who are clearly engaged in planning deeds that are harmful to our society, whether it's on this side of the border, or whether Canada and Toronto are being used as a staging ground.

Regardless of the activity, we are very proud of the fact that these announcements, together, working in tandem, will probably be—I think it will be—the most aggressive action that can be taken by any government to protect its people. I'm very proud that Ontario will likely be the leading jurisdiction in this area.

**Mr Bert Johnson (Perth-Middlesex):** I just wanted to put a few of my comments on the record this afternoon, speaking on behalf of the constituents of Perth-Middlesex. My reaction is that this is a cruel hoax on the people of Ontario. Here we are talking to a motion about Dalton McGuinty's plan, and there is no plan. I've seen no plan. I've heard no plan. I think this is a cruel hoax on the part of those purporting that this a serious motion that should be debated.

We note that after the events of September 11 there have been many programs put forward. Just today we had three announcements: one by the Premier, one by the Attorney General and one by the Minister of Tourism. I think those are the kinds of programs and the kinds of plans that we should be supporting.

I thank you for giving me the opportunity to put my comments on the record today.

**Mr Gilles Bisson (Timmins-James Bay):** First of all, I want to thank both my good friend Mr Spina and my good friend Mr Johnson for allowing me the opportunity to participate in this debate.

I want to say upfront that generally I support what the Liberal opposition is trying to do here in regard to ensuring that we find ways of securing the province when it comes to potential activities that may cause some danger to the public of Ontario, when it comes to the acts of September 11, when it comes to acts of terrorism.

I do want to say, however, at the outset that I am one of those people who is a little bit worried at times that we get overzealous in this whole approach to what's happening in regard to those particular events. I would hope that the response the government puts forward in regard to this whole issue is a measured one, so we don't get into the whole issue of fanning the flames further than they need to be fanned. I certainly hope that calmer heads will prevail in this whole crisis we find ourselves in now around the world.

I've never been one to believe that violence begets—excuse me. Let me say that again. I'm not one who believes that you can fight terrorism by way of bombs and traditional forces. If you look at history over the past number of years, Vietnam is a good example. There was not terrorist activity on the part of the North Vietnamese, but it was certainly a war that was fought by—what's the word I'm looking for?—not commandos but guerrillas. Never were the French, the Japanese nor the Americans able to succeed by traditional methods in being able to push the North Vietnamese into submission when it came to that particular issue. The strongest military powers of the day, namely, France, Japan and the United States, were never able to succeed. I think one of the reasons was that you can't combat terrorism, you can't combat, in my view, guerrilla warfare by way of a traditional response by military means. I think there are a whole bunch of other things that you need to do to be able to get at those who were responsible for September 11. Unfortunately, I don't have the opportunity to speak to that.

I know that my good friend Mr Prue, the member for Beaches-East York, wants to say a few words and I'll give him the floor at this point.

1740

**Mr Michael Prue (Beaches-East York):** I'm really learning the ropes of this House, to run from committee to here and being all over the place.

In the few minutes remaining, I'd just like to say that I think the proposal is generally a good one, but it reminds me of a person who has their house robbed. That's usually when they go out to get the security. They never think about it before, they never think it's going to happen to them, but once they're robbed they're all gung-ho and they're calling up the security companies. It looks to me that that's very much what we're doing here.

People who speak about the problems or foresee the problems usually have it fall on deaf ears. That's true all over government. What we're seeing today in the federal sphere is, in terms of immigration, wondering who we have coming into Canada, who is making refugee claims, who some of the people are who arrive without documentation. This whole story has been talked about for years inside the immigration department and the national newspapers, and yet there never seemed to have been a concern by federal minister after federal minister until September 11.

The same thing is true in this province: the problems about laying off staff; the problems of not having enough scientists, and we continue to lay those off; the problems of not having health inspectors and the ensuing problems in Walkerton.

Today I think we have an opportunity to do something about that. We're talking about the Ontario security fund and the support for security measures. But I don't want anyone in this House or anyone watching to think that it has only to do with September 11. It has to do with a whole range of problems that this country has been very complacent about, not just since September 11 but really for the last 10 or 15 years.

Dr Sheela Basrur has reported today and we know that money is needed for medical measures. We know the police budgets in many municipalities are not what they should be, and certainly the police officers in Toronto have not got the budget they've asked for ever since amalgamation. We know in Toronto especially there are 55 too few firefighters to actually man or person or staff with no problems the fire trucks—55 of them—so they cannot even meet the calls they're required to do, never mind an emergency. We know that in small communities that were forcefully amalgamated they're losing their volunteer firefighters. We know that there are problems with the drinking water in many places.

The question comes right down to, in the 40 seconds left to me, is it right, though, to take it from capital funding? I have some problem with that, but that is the motion before us. I suggest it would be better to forgo the reductions for corporations and ask those same people who will be getting the tax breaks if they would prefer security. I think the answer you would find from them was yes. Ask them if they have the wherewithal to

provide private security on the monies you're going to give them, and I think you'll find that the answer is no. Then, ask all the people of this province if they are better off if we are all protected and not just those who can afford it.

That, Mr Speaker, would be my contribution to the debate.

**The Acting Speaker:** Further debate? There being no further debate, Mr McGuinty has moved opposition day number 2, that the Legislative Assembly call upon the government to protect Ontarians by enacting Dalton McGuinty's plan to establish an Ontario security fund, with half of the funds being directed to security projects at the municipal level.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be 10-minute bell.

*The division bells rang from 1745 to 1755.*

**The Acting Speaker:** All those in favour will stand one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Crozier, Bruce	Levac, David
Bartolucci, Rick	Curling, Alvin	Martel, Shelley
Bountrogianni, Marie	Di Cocco, Caroline	McGuinty, Dalton
Boyer, Claudette	Dombrowsky, Leona	McLeod, Lyn
Bradley, James J.	Duncan, Dwight	Patten, Richard
Bryant, Michael	Gerretsen, John	Peters, Steve
Caplan, David	Gravelle, Michael	Phillips, Gerry
Christopherson, David	Hoy, Pat	Prue, Michael
Cleary, John C.	Kennedy, Gerard	Pupatello, Sandra
Colle, Mike	Kormos, Peter	Ramsay, David
Conway, Sean G.	Kwinter, Monte	Ruprecht, Tony
Cordiano, Joseph	Lalonde, Jean-Marc	Sorbara, Greg

**The Acting Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Amott, Ted	Harris, Michael D.	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Runciman, Robert W.
Barrett, Toby	Hodgson, Chris	Sampson, Rob
Beaubien, Marcel	Hudak, Tim	Snobelen, John
Chudleigh, Ted	Jackson, Cameron	Spina, Joseph
Clement, Tony	Johns, Helen	Sterling, Norman W.
Cunningham, Dianne	Johnson, Bert	Stewart, R. Gary
DeFaria, Carl	Kells, Morley	Stockwell, Chris
Dunlop, Garfield	Klees, Frank	Tsubouchi, David H.
Ecker, Janet	Marland, Margaret	Tumbull, David
Elliott, Brenda	Martiniuk, Gerry	Wettlauffer, Wayne
Flaherty, Jim	Maves, Bart	Wilson, Jim
Galt, Doug	Mazzilli, Frank	Witmer, Elizabeth
Gilchrist, Steve	Miller, Norm	Wood, Bob
Gill, Raminder	Munro, Julia	Young, David
Guzzo, Garry J.	Mushinski, Marilyn	
Hardeman, Ernie	O'Toole, John	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 36; the nays are 49.

**The Acting Speaker:** I declare the motion lost.

It being 6 of the clock, this House stands adjourned until 6:45 of the clock.

*The House adjourned at 1758.*

*Evening meeting reported in volume B.*



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Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

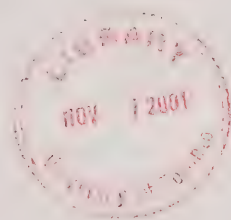
Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 30 October 2001

Mardi 30 octobre 2001



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

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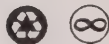
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 30 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 30 octobre 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### MUNICIPAL ACT, 2001

#### LOI DE 2001 SUR LES MUNICIPALITÉS

Resuming the debate adjourned on October 29, 2001, on the motion for second reading of Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities / *Projet de loi 111, Loi révisant la Loi sur les municipalités et modifiant ou abrogeant d'autres lois en ce qui concerne les municipalités.*

**The Acting Speaker (Mr Bert Johnson):** Further debate?

**Ms Marilyn Churley (Toronto-Danforth):** Thank you, Speaker. I'm just finishing up my comments from Monday.

I was talking about this bill before us. This is the bill we're talking about; it's pretty huge. It's smaller than the previous Municipal Act, but it's still quite a lot of material to go through, for interest groups to take a look at and analyze to be able to give their views of what this bill is all about.

I was talking about the downloading to the municipalities and the terrible impact it has had, and the imbalance between what are called the senior levels of government, the provincial and federal governments; that while they were able to balance their budgets and create tax cuts at the same time, part of the way they were able to do that was by downloading a lot of responsibilities to our cities and towns.

I talked about what some of those are. For instance, a lot of municipalities are not able to keep up with the road repair and maintenance that has been handed down to them—housing, child care, welfare, public health—all kinds of things they didn't have to do before and which were downloaded to them without the adequate funds to allow them to do the job properly. I was talking about the reality of that happening to municipalities and the fact—

*Interjection.*

**Ms Churley:** Excuse me; I have the floor now, Marilyn. I'm speaking to the other Marilyn here.

That is a reality. If you go and talk to the councillors in your area of whatever political stripe—I heard Case Ootes on the radio this morning; I believe he is a Tory.

He was saying the same thing. So downloading is a problem for many municipalities.

Here we have a bill that doesn't go far enough in terms of giving municipalities, particularly the big cities but the smaller ones as well, the kinds of powers they need to go along with those responsibilities in this day and age. This was an opportunity for the government, when bringing forward a change in a Municipal Act, which has not been changed for over 100 years, and my concern is that it's such a difficult thing to open up a bill like this that it won't be opened up again for a good many years. So it's important that it be done right, and it has not been done right. It is only going in a very tiny direction where we should be going, and many councillors will tell you that.

One of the important aspects of this bill—we don't have it before us yet, and I can tell you that I and my party will not be agreeing to pass this legislation until we see what's in the memorandum of understanding. That is the furthest this bill goes vis-à-vis the request from many mayors of the big cities, and some of the smaller ones as well, in giving them some charter powers, giving them more ability to raise the taxes they need and to do the things they've been given responsibility for. This memorandum of understanding, although it's a far cry from what they had asked for and require, does deal to some extent with that whole issue. It talks directly about the relationship of municipalities to other levels of government. It tells them what they can and cannot do, and under what circumstances. But again, the minister can intervene at any time if he or she does not like what the municipality is proposing to do.

It also talks about consultation, and that's a good thing, because so many things that happened after this government came to power—and, frankly, before this government came to power. Higher levels of government tend to do things to the municipalities and tell them after the fact, and municipalities saw it in spades under this present Conservative government. This consultation is a good thing. The problem is that there are broad ministerial regulation-making powers prescribing anything from what they can say on the forms the municipalities send out to people—it talks about a minister being able to step in. If the minister doesn't like what he or she is hearing in those consultations, the minister can step in and do what they want to do anyway.

So those are problems. We want to see the wording in that memo before we agree to passage of this bill, because what is in that memorandum of understanding is



going to be critical to the outcome after this bill is passed.

The other thing I want to say is that we need broad public hearings. Some people have been consulted on this. I understand that AMO has and that they're interested in fast passage. I understand that, but we also don't want to be in a situation where people like the workers, who could be very affected by this bill in terms of their job security—the bill clearly gives the ability for more privatization of services, for instance. They have not been consulted. They have things to say.

There are all kinds of small things that our municipal affairs critic, Michael Prue, the member for Beaches-East York, pointed out that most people wouldn't pay attention to but that can have profound effects, and some of them could be mistaken. You'll recall the bill we had to bring before the House about eight times to have amended because it was so badly written. We don't want to be in that situation here.

**Mr John Gerretsen (Kingston and the Islands):** I concur with my friend in the New Democratic caucus that the government truly did—

**Ms Churley:** Your friend?

**Mr Gerretsen:** We're all friends in here to some degree, right? I hope that we are, anyway. We're here together often enough.

I agree with her that the government really missed a golden opportunity. Yes, this is the first time in many years the Municipal Act has been looked at by the government and it really could have accomplished all the various things municipalities were asking for. There's this whole notion that somehow the provincial politicians are smarter or know more about what's good for people than do the people at the local level. Those of us who have served at the local level at some time in the past I think would agree that we totally disagree with that.

There are certain issues and certain instances when the people at the local level have a much better understanding of what's good for their community than we do at this level. What's required is almost like a municipal charter that clearly sets out, once and for all, that we have a third level of government, a municipal level of government, that is just as legitimate as the provincial and federal governments, and that we get away from this whole notion that municipalities are only creatures of the provincial government. You and I have heard that from time to time, whenever the province, whatever the political stripe, wants to lord it over municipalities.

This was their opportunity to do that and they failed and missed that opportunity. I hope that during the public hearings that will take place, this point will be brought back to the government on a continuing basis.

**Mr Gilles Bisson (Timmins-James Bay):** To my colleagues the members from Beaches-East York and Toronto-Danforth: I want to echo one of the points they make in this legislation that I think is important. We believe as New Democrats that the legislation is a step in the right direction. We're not going to argue that the direction the government is taking in regard to trying to

give a municipality the ability it needs to deal with what we consider local issues should not be done. I want to be really clear on that. We think the direction is the right one.

There may be much in this bill that is OK. Here's the problem: we really don't know. I don't have the bill in front of me, but it's about an inch thick. The government, I would imagine, is going to move a time allocation motion soon to push this bill through, if they don't try to collapse the vote, which I'll talk about in a little bit. Basically we're trying to rush this legislation through without proper consultation with our municipal partners and others out there who want to speak to the issues of this bill.

I urge the government, as the member from Beaches-East York talked about, to say, "OK, let's have a full debate at second reading but we'll allow this bill to go out in committee in January and February so we can travel through the province, speaking to our municipal partners and others, who may have some ideas on how to make this bill even better." I have to believe that the government introduced the bill because they want to do the right thing on this particular issue. So I encourage the government to do that.

However, I fear what we're going to have, what we're going to see tonight, is a government that does not get up and debate. They've just skipped a rotation in questions and comments. It is my guess that the government is now indicating by its inaction, by not standing up and debating this bill—I hope they do so after our rotation—that they are going to attempt to not have any debate on this bill. I think that's really wrong, because the issue is a good one for us to debate in this House and the bill is very thick. There is a whole bunch of detail that we really need some time to take a look at. I would encourage members on the government side to get up and speak to this bill.

**Mrs Julia Munro (York North):** I want to take the time available to make a couple of comments with regard to those comments that have already been made.

The issue with regard to the question of consultation and the need to look at this for a longer period of time needs to be set in the context of what has actually happened. In fact this government has been studying the notion of a revision of the Municipal Act since 1995. It's clear that this is an act that has been in effect, in some way or other, for 150 years. It seems to me that the kind of discussion and consultation we have undertaken in the last few years has been the motive for being able to come forward with this bill.

There have been extensive consultations since 1997. Since the release of the 1998 draft, there have been over 300 written submissions and over 50 people participating in working groups, facilitated consultations and ministers' forums. You can see the long list of third-party endorsements for this proposed act, from the Association of Municipalities of Ontario, the Ontario Chamber of Commerce, the Canadian Taxpayers Federation, and literally dozens of elected local politicians.

I think it's important to recognize that this government is prepared to make change, is prepared to look at the consultation, and then act.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I am pleased to offer some comments with regard to the bill that is before us for debate this evening. It has been indicated by my colleagues earlier that the bill is a good first step. We certainly appreciate that there has been a promise to rewrite the Municipal Act by this government for some time now. Finally it is here, and when we've had an opportunity to review it, we have to comment on a number of elements that are missing in the bill—I know those elements will be referenced during our debate this evening—and many areas of concern as well.

That's not to say that all within the bill is not good. We appreciate that the bill incorporates some legislation that has actually been presented in this Legislature by members of the opposition. I make reference of course to Sandra Pupatello's rave bill, to Michael Bryant and Dave Levac's Bill 104 that allows municipalities the ability to restrict and regulate the use of fortification buildings, and also Rick Bartolucci's Bill 24 that allows for the licensing and regulation of adult entertainment parlours by municipalities. Members of the opposition are encouraged to see that, when rewriting the Municipal Act, the government recognized it was important to include these very worthy pieces of legislation.

However, there are a number of issues and items that have not been included in the bill and some significant oversights that we will hopefully effectively present to the members of the government during the debate this evening.

**The Acting Speaker:** The member for Beaches-East York has two minutes to respond.

**Mr Michael Prue (Beaches-East York):** I am taken to heart by the member for York North who said that there will be some changes and that they are prepared to make changes to this bill.

1900

There's no doubt that this bill is an improvement on the act, which is now 149 years old. I would hope that after 149 years all of us would agree that it's time to make some necessary changes. This bill, as I see it, will bring the municipalities of this province into at least the 20th, if not the 21st, century and will in fact give powers to municipalities which many of them have exercised in any event for the last 20 to 30 years. What is important, though, is that we try to go the extra step, that we try to foresee where municipalities are likely to be in the 21st, and maybe the 22nd, century, that we try to bring all of the municipalities of Ontario into the same sphere that we find our competitors in. We have to trade every day with the likes of New York, Chicago and Detroit, also Mexico City, London, Madrid and Paris, and it is important that the cities in our province have the same jurisdiction and the same ability to grow and prosper as our competitors do.

I welcome that there will be a full debate. I would prefer that the full debate take place over a measured

period of time in January and February rather than being truncated into that constituency week, in which I was hoping to see my constituents, but I understand that may be the government plan. I don't think four days will be sufficient to canvass the whole of the debate. I would grant that a lot of people have been consulted, but key people like the workers in the municipalities and the support groups of the municipalities have not yet been consulted.

We make a minimum request that a memorandum of understanding be signed before this comes back for final reading and that the cities of this province be brought into full partnership with the government of Ontario.

**The Acting Speaker:** Further debate?

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to stand this evening to speak on the new Municipal Act, Bill 111. I'd like to specifically talk about safety concerns and how it enhances safety in the municipalities of Ontario. Everyone in Ontario has a right to feel safe, and this government is providing the leadership to build a safer Ontario. This evening, I'd like to say a few words in support of the proposed new Municipal Act, Bill 111, and how it contributes to the priority of safety in Ontario.

Of course it's been 150 years since the original Municipal Act was created, so it's certainly high time that a new act was brought in and I commend Minister Hodgson for bringing in this new act.

I don't think I can say how important it is for our constituents to feel safe in our communities and, more importantly, that they are safe in our communities. The new Municipal Act, if passed by the Legislature, will do just that. It will enhance flexibility and promote safe, well-administered municipalities in Ontario.

I think everyone in this House will agree that municipalities play a vital role in our everyday lives. Most people are not aware and may take for granted the numerous and important services municipalities deliver to their communities. For example, municipalities operate town libraries, such as the Parry Sound Public Library or the Huntsville Public Library. They run recreation programs in every community. They take care of street lights, sidewalks and parks. They pick up garbage, plow roads and provide police protection. They do this every day, and I don't think there is any person in Ontario who is not directly affected by their local municipality every day.

In 1849, Ontario's first Municipal Act was passed and it provided simple services to the people in the province. In those days, they weren't expected to provide the sophisticated social, health, land use planning, recreational services and safety measures that they provide today. One hundred and fifty years is a long time, so that's why it certainly is about time for a new act.

I can safely say that things have changed since 1849. People have changed and their needs have changed. It would only make sense that municipalities have changed along with them. It has never been more evident than since September 11 that safety is a top priority for the



people across this province, across the country, indeed across the world. The proposed Municipal Act will perhaps put minds at ease by addressing important safety concerns in our communities. The new act will include measures to give municipalities more authority to make their communities safer. Not only will people feel safe in their communities, municipalities will assist in people being safe.

Some municipalities have expressed concerns about activities associated with adult entertainment establishments, body-rub parlours and crack houses. It is unfortunate that these sorts of establishments are present in some communities across Ontario. However, this legislation responds to municipal requests by enhancing municipal powers to deal with adult entertainment and body-rub parlours, crack houses and other problem properties that are a public nuisance. In essence, municipalities would be able, if the legislation is passed, to pass bylaws on matters that in the town council's opinion are or potentially could become troublesome, and if necessary, they could ask the courts to close down these problem properties. A request such as this would have to be made after giving notice to the Attorney General and with the agreement of the police in order to avoid the possibility of jeopardizing an ongoing police investigation related to the property.

The new Municipal Act would also give municipalities the authority to better manage raves and body-rub and entertainment parlours by clarifying that municipalities can seek community views before making related licensing decisions. Community input could definitely help in identifying conditions to attach to a licence and to determine whether conditions are being met. Who better to ask than the people who are directly affected? It is very important for municipalities to hear community views, and I want to stress that community involvement is integral to this legislation.

It is important to note exactly what the Ministry of the Solicitor General is doing to address the issue of raves and body-rub parlours, and the Ministry of the Solicitor General has been very supportive of all initiatives aimed at building safer communities. They support the development by municipalities of coordinated multi-agency approaches to crime and disorder. They have assisted municipalities in controlling raves and body-rub parlours in Ontario through community policing partnerships. The community policing partnership has allowed 1,000 new front-line police officers to be hired in Ontario. Half of their salary is paid by the community policing partnership and half is paid by the municipality.

**Mr Bisson:** On a point of order, Mr Speaker: We do not have a quorum in the House. I'd like you to check.

**The Acting Speaker:** Would you check and see if there's a quorum present.

**Acting Clerk at the Table (Mr Douglas Arnott):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table (Ms Lisa Freedman):** A quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the member for Parry Sound-Muskoka.

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**Mr Miller:** Thank you very much, Mr Speaker.

This has allowed more police to be present in our communities.

An adequacy standards regulation was also developed by the Ministry of the Solicitor General and requires police services to develop community-based crime prevention initiatives to respond to public disorder problems. This regulation ensures that every police department across the province meets the same standard. This guarantees that every community police service will provide the same level of service, whether you're a rural or an urban area and whether your community has a local police force or it is protected by the Ontario Provincial Police force.

The adequacy standards regulation is very important in Ontario because it ensures that whether you're living in Toronto and subject to the Toronto Police Service or you're a resident in a riding such as Parry Sound-Muskoka, you will be provided with the same high level of service.

The province is also cracking down on biker bunkers. Communities should not have to tolerate their property being used for criminal purposes. The proposed act would give municipalities the power to pass bylaws to address and deal with the problem of excessive fortification of buildings. As I said before, municipalities will be able to close down nuisance properties. However, municipalities will be allowed to grant exemptions to individual properties or classes of properties, such as women's shelters. The Ministry of the Solicitor General has assembled a working group to focus on biker bunkers. They have included input from the provincial special squad to examine other options to address nuisance properties such as biker clubhouses.

The legislation will continue to allow for special and broad powers that give much more extensive ability for municipalities to license and regulate adult entertainment establishments. They would include defining the area or areas in which they may or may not operate. Most people probably don't want one of these establishments in their backyard. The legislation will also allow municipalities the power to limit the number of licences that would be granted to such businesses.

This new act is definitely an asset to the community because it allows the community to have more control and more say over what businesses are in their communities and who runs them. It also allows municipalities to control what goes on in them.

Jim Simons of the Thunder Bay Police detachment was quoted in the Thunder Bay Chronicle Journal on October 19 as saying, "I think the proposed act is better for the community. It allows the community better control of what kinds of businesses they have, who is in them, and what they do in them."

Municipalities will be able to regulate the nature and character of signs and advertising associated with them

and they will also be able to enter such establishments to determine whether the bylaw is being complied with.

It is most important to recognize that we have listened to the concerns of our local municipalities. The safety components of the new Municipal Act are in response to numerous municipal requests. We have provided them with greater powers to address local nuisances or perhaps things that may very well become problematic and, furthermore, to apply to the courts to close down these problem properties. We also want to make it clear to municipalities and to communities that municipalities can seek community input in making their licensing decisions with respect to such establishments.

Although the proposed new Municipal Act would take effect on January 1, 2003, it is important to note that the community safety measures of this act would take effect once the legislation receives royal assent.

The proposed act would deliver on the government's Blueprint commitment to give municipalities the power to ask courts to shut down crackhouses as a public nuisance.

As I mentioned before, times have changed for the people of Ontario, and given this, times have changed for municipalities in Ontario. An indication of this is the number of municipalities that were and are now present in Ontario. Around the 1950s there were more than 1,100 municipalities in Ontario. They provided such things as roads, water and sewer pipes, but rarely provided such soft services as safety. By the 1980s, the number of municipalities had shrunk to fewer than 850 and the list of services, including safety, continued to grow. Today there are 447 municipalities in Ontario and each one provides a number of services that are constantly changing. As I have mentioned in address to Bill 111, safety is now an integral and important responsibility for municipalities.

The community safety component of the new Municipal Act, spelling out the exact powers of municipalities when it comes to regulating and controlling crackhouses, biker bunkers, adult entertainment establishments and body-rub parlours, is important to our communities and to the people who want to feel safe in those communities.

In the past, municipal legislation has spelled out exactly what municipalities are permitted to do. If the legislation doesn't say it, then they are not able to do it.

**Mr Bisson:** On a point of order, Speaker: I believe we still don't have a quorum.

**The Acting Speaker:** Would you check and see if there's a quorum present.

**Acting Clerk at the Table:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Acting Clerk at the Table:** A quorum is now present, Speaker.

**The Acting Speaker:** Thank you. The Chair recognizes the member for Parry Sound-Muskoka.

**Mr Miller:** As I was saying, in the past, municipal legislation has spelled out exactly what municipalities are permitted to do. If the legislation does not say they can

do something, they cannot. If a municipal council wants to take on something new or if they must respond to local needs, they must look through hundreds of pages of law just to see if the authority is there. If it isn't, they have to come to the Legislature to change it or to add something to it.

Presently we are faced with more than 150 years of legislation that is very large and very complex. Parts may be redundant and no longer relevant to today's constantly changing environment. Municipalities for many years have been asking for a massive overhaul. In 1995, this government made a commitment to bring forward a new Municipal Act. We promised that it would be streamlined, easy to use and, most important, modern. The act sets out areas of responsibilities for municipalities, but at the same time it doesn't dictate what exactly they are permitted to do.

I believe that the new Municipal Act will give municipalities the authority they need to meet each and every local need while at the same time ensuring their communities can remain competitive in Ontario.

I would like to point out that there is a lot of municipal support. I would like to note some of that support.

Elyse Allan, President of the Toronto Board of Trade, did a press release on October 18, 2001, and in that said, "The proposed legislation gives municipalities better tools to manage their responsibilities and at the same time enhances accountability for the taxpayer. It's an important power for Toronto, as it will provide the city with much greater control over its resources and long-term planning."

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Ron McNeill, first vice-chair of the Ontario Chamber of Commerce, in a news release dated October 18, 2001, said, "Ontario businesses had been concerned that the new Municipal Act would give municipalities greater access to user fee and licensing fees as a source of revenue. However, the new act strikes a balance on these issues. The new legislation also ensures that there will be greater transparency and public input when user fees are being contemplated. This is an important step to ensuring the accountability of municipalities when new user fees are imposed."

Mississauga Mayor Hazel McCallion was quoted in the Thunder Bay Chronicle Journal, October 19, 2001: "Now municipalities have greater flexibility to make decisions regarding services directly relating to them with more latitude and self-determination than before."

A Hamilton Spectator editorial, October 22, 2001: "Ontario Municipalities Get Welcome New Powers. An enlightened, albeit long overdue move, the blueprint introduced by Municipal Affairs Minister Chris Hodgson deserves applause. It is a major step forward in treating municipalities more as partners with the senior governments than as problem children who are supervised at every turn."

It's obvious there's a lot of municipal support out there for this new legislation. Perhaps more important, if it is approved by the Legislature, this new Municipal Act



would be the cornerstone of a new, stronger, more mature and more productive relationship between municipalities and the provincial government. It would acknowledge that municipalities are responsible and accountable governments, and it would formally recognize the importance of consultation between the province and municipalities on matters that directly affect them.

The valuable contribution of municipalities and municipal organizations to the drafting of this proposed Municipal Act is a good illustration of how constructive that consultation can be.

In closing, the proposed legislation clearly has the support of the people directly affected by it. I want to commend the Minister of Municipal Affairs and Housing, Chris Hodgson, for bringing this bill forward. I wholeheartedly lend my support to this legislation, and I call upon my legislative colleagues to join me in supporting Bill 111, the new Municipal Act, 2001.

**The Acting Speaker:** Comments and questions?

**Mrs Dombrowsky:** With regard to the comments that have been made about the bill, and the member from Parry Sound-Muskoka was able to offer some comments that have been in the media, reaction to the bill, I would suggest that, yes, indeed, some has been positive. I think it's important to note as well that many people are making some comment that, "Well, finally we have something."

This is a piece of legislation that the Tories' platformed on in 1995, promised they would bring forward. They had one full mandate, and that didn't happen. Then there was another election in 1999. Finally, more than two years after that, we are seeing the legislation. So I would suggest that municipalities have been waiting and waiting with bated breath. I would suggest that perhaps that is one of the reasons why they are finally happy to get something from the government that had been promised to them some six years ago.

When municipalities are making some comment about the proposed legislation, I think it's important to point out that one issue that we know has been very controversial within municipalities, that has been a bone of contention, is the issue of forced amalgamation. This bill does not prevent the government from forcing amalgamations. On this side of the House and in the Ontario Liberal Party, we believe that before municipalities would amalgamate, three things should be in place: there should be willing partners to the amalgamation; when there is amalgamation, there needs to be a guarantee that services will stay the same or improve; and when amalgamations occur, it should not come at a greater cost to the local taxpayer. The fact that forced amalgamations can continue to happen in this bill is regrettable.

**Mr Bisson:** I would actually like to congratulate the member for Parry Sound-Muskoka—

*Applause.*

**Mr Bisson:** As I always say, thank you—for what I thought was a fairly good presentation on the bill. I appreciate it when members take the time to read their briefing notes properly, and the member for Parry Sound-

Muskoka probably read the bill in some detail and gave what I thought was an interesting presentation on the bill. I don't agree entirely with everything he said, but I just want to make clear again that I support generally what the government is trying to do here. I believe that municipalities need to be given the types of powers they need to be able to move on and deal with the issues that, quite frankly, they're probably better able to do when it comes to the kinds of services they offer.

I worry, however, in this bill that we're not going to get it right. I really worry that we're going to end up in a situation where, all of a sudden, because we're trying to rush this bill through the House this fall, we're not going to go out and do the kind of public consultation that we need in order to talk to our municipal partners about some of the difficulties in this bill.

For example, the member for Parry Sound-Muskoka may want to comment on why it is in this bill that Toronto is being treated differently from all other municipalities in the province of Ontario. That worries me, because municipalities across Ontario will have the ability to choose the boundaries for wards when it comes to choosing how many representatives we need at the council table, but the city of Toronto is not going to have that ability. The wards, because of what the government has decided, can only be determined by the province, and so will the number of elected representatives at the ward level be selected by the province for Toronto. However, it will not be the case for the rest of the province of Ontario. I don't like this kind of situation that we're setting up where it's one set of rules for one group and another set of rules for Toronto. So I'm just wondering what the member would have to say about that.

**Mrs Margaret Marland (Mississauga South):** Speaking as a former municipal politician, I would like to say that I think this new Municipal Act is a tremendous achievement. It's a tremendous step forward. It's been needed and asked for for a long time.

One of the reasons I wanted just to take this brief two-minute opportunity is to actually publicly say thank you to Mayor Hazel McCallion. She has had a great deal of input into this act. Interestingly enough, the Minister of Municipal Affairs and Housing has also commended Mayor Hazel McCallion for her input.

She is someone with a tremendous historical perspective. She has now been mayor of the city of Mississauga for 23 years. She has been elected for over 30 years, starting as a member of the planning board in the town of Streetsville. With all of her experience, plus serving on the Association of Municipalities of Ontario, she brought a great deal of unbiased knowledge to the revision of the act known as the Municipal Act.

We are all indeed grateful to Mayor Hazel McCallion for her work and her contribution. She is always direct, she is always unbiased in terms of the partisan aspect of any of the work that's done in this Legislature, and we are indeed grateful to have her.

I do want to say one thing very, very quickly to the member for—

**Mr Bisson:** Timmins-James Bay.

**Mrs Marland:** Timmins-James Bay. Well, I guess I can't; I'm out of time. I will the next time.

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**Mr Bisson:** On a point of order, Mr Speaker: With bated breath, I ask for unanimous consent to give Margaret the opportunity to say whatever she was going to say.

**The Acting Speaker:** Is there unanimous consent to give Margaret the time to say what she wants to say? Agreed? It is agreed. The Chair recognizes the member for Mississauga South.

**Mrs Marland:** Now I feel very guilty, to the member for Timmins-James Bay, because what I was going to say to you, Gilles Bisson, my friend who's been elected a very long time, is that I really feel, having served 10 years in opposition, that it's very unfortunate when—I used to call quorums, but I didn't call quorums as a game. I'm not even on House duty and I'm in this chamber at this moment. As soon as I walked out the door—I was only halfway down the hall to you know where—the bell started to ring, and I thought, "I'll bet that's my friend Gilles Bisson, the member for Timmins-James Bay." I knew it wouldn't be any of the Liberal members here this evening.

I thank you for asking for unanimous consent for me to speak and complete my comments. However, I would like you to be just a little bit more sporting about how frequently you terminate the proceedings in this House by calling quorum.

**Mr Bisson:** On a further point of order, Mr Speaker: I believe we do have a quorum now.

**The Acting Speaker:** That is not a point of order.

The Chair recognizes the member for Kingston and the Islands for comments and questions.

**Mr Gerretsen:** Let me just concur with the member for Mississauga South that Mayor Hazel McCallion of Mississauga has been a tremendous municipal influence in this province for many, many years. I enjoyed working with her on the AMO board during the 1980s. She was a positive influence.

You know, it kind of reminds me of the argument we heard at the time the downloading took place. Do you recall that, Speaker? After the municipalities accepted about a \$650-million download of services to their level from the originally proposed \$1-billion download, the government came in and said, "The municipalities think it's a great deal." Well, of course they would prefer to have only \$650 million of services rather than \$1 billion of services downloaded to them.

It's exactly the same thing in this act. This act is better than nothing, but it could have been so much more. Once again, what this government is guilty of is that they are not really looking at municipalities as equal partners. They've talked for the last five or six years about the partnership arrangements they have with municipalities. In a partnership, there's a sense of equality. This act doesn't connect to that sense of equality whatsoever. It is still the same old way of governing, and that is basically

by telling municipalities, "These are the powers you have, and if you don't like it, you can lump it." That, to me, is not the sense that AMO wanted originally, that the municipalities wanted, or that this government promised the people of Ontario as far as municipal government reform is concerned.

**The Acting Speaker:** The member for Parry Sound-Muskoka has two minutes to respond.

**Mr Miller:** Thank you to all the members who commented this evening. To the member from Hastings-Frontenac-Lennox and Addington, talking about municipalities having to wait since I believe 1995 for this new act to come through, well, I'd certainly like to point out that the original act has been around for 150 years, so a couple of years to make sure we get it right is certainly the smart thing to do. It's also worth noting that this Minister of Municipal Affairs, Minister Hodgson, is one who very much believes in consultation, so he has done a lot of consultation on this act to make sure he has taken all the considerations of municipalities that could be thought of into consideration for this new act.

Also, I'd like to thank the member for Timmins-James Bay for being so complimentary this evening. He must have enjoyed the wine tasting last night, I think. It's got him in a good mood this evening. Thank you very much for being so complimentary.

I would also like to mention the member from Mississauga South, who was talking about Hazel McCallion, who was here last week when the bill was introduced and certainly had input into the creation of this new legislation. It seems to me that many municipalities have offered support, as I was quoting in my talk. Many different municipal politicians have been supporting this bill.

The member for Kingston and the Islands was talking about municipalities becoming more equal partners, working in partnership with the province. I think this act goes a long way toward creating a better and more equal partnership between municipalities and the province.

**The Acting Speaker:** Further debate?

**Mr Gerretsen:** I look forward to taking a few minutes to deal with this act, because as a former municipal politician, and I know there are many in this chamber who have served on municipal councils and school boards, this is the kind of legislation we can all relate to, having served there and knowing what some of the problems are at the local level.

Let me just say I was quite hopeful when I heard that the Minister of Municipal Affairs was going to bring forward a new comprehensive Municipal Act, that the different municipalities, the different interest groups such as the Association of Municipalities of Ontario etc, were finally listened to and that we were actually going to have an act that would set up the kind of equal partnership that this government and governments before have always talked about as existing between the provincial government and the municipalities, yet in reality, Speaker, as you and I well know, has never really existed.

I think the member from Parry Sound-Muskoka, who just spoke—I'm sorry I didn't get a chance to respond to him earlier—said it best when he said, in his own words,



which I marked down, that the list of services municipalities are involved in has grown tremendously over the last number of years. That's true. The kinds of services that municipalities are involved in are much greater than was ever envisioned certainly in the 1850s, but even in the 1950s or in the 1960s and 1970s. There are many more social services, daycare services and health care services that municipalities are now involved in that they weren't before. Many of those services have been downloaded on local municipalities.

What we were hoping for, something we ran on in the last election, was that we wanted to pass a municipal charter that clearly sets out the responsibilities of municipalities and the powers they need to accomplish their goals and, let's face it, the goals of all of us. All of us are provincial residents, but we are first and foremost residents of each of our towns and communities and villages and cities out there. We were quite hopeful that an act would be presented that would take that into account.

Unfortunately, what we have here is a big, thick new act that goes for some 320 pages, that deals with many different aspects of municipal life, that has taken many individual acts out there right now, the laws that currently exist with respect to municipalities, and combined them into one act. But it is missing the fundamental ingredient of making municipal governments fully accountable to the people and giving them the powers and the authority the municipalities nowadays need to carry out their functions. There is still the old theory that they are really only creatures of the provincial government, that in fact we only have two levels of government in this country, those being the federal and the provincial levels and that everything a municipality does will always be subject to and limited by the provincial government.

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I had hoped that we would see a municipal charter. You know, we wouldn't be first province to get involved in that. The province of British Columbia is going through that process right now. The government that recently got elected put out the concept of a municipal charter before that and has now issued a white paper, after the election. It's now going back to the people on it and a referendum will be held, the way I understand it, or at least there will be full public consultations. Then after that, the municipal charter they're talking about will be presented to the Legislature and will be adopted, presumably, by the government of British Columbia. That is totally lacking here.

Even the notion that consultations will take place on a regular basis is not contained in this act. Now, I know there is a wild statement here in section 3, and I'll just read it to you: "The province of Ontario endorses the principle of ongoing consultation between the province and municipalities in relation to matters of mutual interest." The government has put the spin on it that this is something new. Well, I'll tell you, this has been going on for years with different governments.

I can remember dealing with the Davis government back in the early 1980s when I was heavily involved on

the executive of the Association of Municipalities of Ontario. The executive met on a monthly basis with the Minister of Municipal Affairs. Later on, during the Peterson years, we had exactly the same arrangements. In those days, the Minister of Municipal Affairs brought in other ministers if there were items on the municipal agenda that we wanted to discuss with them. Once a year, the municipalities of Ontario, through the executive of the Association of Municipalities of Ontario, which contained a large number of mayors of the various municipalities and other councillors and also unelected people such as administrators, met with the cabinet of the day to talk about municipal issues and to resolve those issues.

So this notion that somehow a memorandum of agreement is going to be signed between the government and the Association of Municipalities of Ontario and is something brand new is absolute nonsense. Any government worth its salt would, on a regular basis, meet with local municipalities and the leadership of those municipalities to make sure that everybody is on the right track on the issues of the day. So that government spin just doesn't go anywhere.

As a matter of fact, what really should happen is that there should be a clause in this act that clearly sets out that no provincial government will change the laws of this province in such a way that the municipal taxpayer, through municipal government, is in effect saddled with additional costs without giving municipalities at least, let's say, one year's notice.

Maybe you and some other people out there might think, "Is that realistic?" Well, let's look at the reverse of that. Let's look at what happened prior to 1999 when this government decided not only to bring in a whole new assessment system, not only to amalgamate all sorts of municipalities all over this province, but at the same time to download initially about a billion dollars worth of services that the province had always paid for in such areas as public housing, child care, public health, community and social services and ambulance services. Initially, a billion dollars of those services were going to be transferred from the provincial tax base to the local property tax base to be collected at the local municipal level. Later on, as I already stated tonight a bit earlier, it was changed to about \$650 million in downloads to the local municipalities, and yes, the municipalities at that time said, "A \$650-million download is better than a \$1-billion download. Are we happy with the changes? No, but it's better than the billion-dollar download." So as far as that is concerned, absolutely nothing has changed. Forced amalgamations can still take place.

The other thing this government may have decided to do, or may have made provision for in the act, is that I'm not so sure whether all municipalities out there are necessarily looking for the same powers and authority. The problems and situations that arise in larger municipalities are totally different in many cases from those that are the requirements or the needs of a smaller municipality. The act could have provided different powers for different kinds of municipalities. It could have

been much more flexible than it actually is, and it didn't do that.

Let the people of Ontario also not forget that there isn't a major project that can take place in any one of our municipalities, large or small—if you're talking about a major capital project, you're not only talking about a provincial contribution, but you're also talking about provincial control. It's a fact of life. If any municipality wants to do any major upgrading or renewal of its water system, of its sewage system, of any of the major capital projects or capital works that are under its jurisdiction, it needs financial help from the provincial government, because it simply does not have the tax base locally to support those kinds of large infrastructure projects. With the provincial money comes provincial consent or the provincial approval system.

Those of us who have been involved in municipal government all know that if you want to do anything in a local municipality of a capital nature, you need the approval and consent of the provincial government or else you can't do it. You haven't got the resources to do it. What is a real shame in today's circumstance is that this government more than a year ago made a commitment to the people of Ontario—at least it made an announcement to the people of Ontario—that it was going to set aside \$600 million to help municipalities with their infrastructure upgrading as far as water and sewer facilities are concerned. What's happened to that? As of today, I believe \$14 million has been committed out of the \$600-million fund that was set aside by SuperBuild. SuperBuild, of course, is a myth as well, because all SuperBuild is—

*Interjection.*

**Mr Gerretsen:** The member for Simcoe knows this quite well. Simply, what the government has done is that it has taken all the capital projects, the capital budgeting, of each and every ministry, put it together and given it a different name: SuperBuild. Rather than having it controlled by each individual ministry the way it used to be, it's now controlled by David Lindsay and his group at SuperBuild.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** It's coordinated.

*Interjections.*

**Mr Gerretsen:** Of course they're shouting and screaming, but ultimately the Premier and Lindsay are going to decide how that money is going to be spent for the various municipalities.

The real shame of that is that you, as cabinet ministers sitting across the way here, no longer have the kind of control you at one time used to have within your ministries, because I assume that you and your senior ministry staff people know best what projects should and shouldn't be approved. It should not be off-loaded to a bureaucrat who knows little or nothing about your particular ministry, and that's happening on an ongoing basis.

It is with that in mind that my leader, Dalton McGuinty, in the opposition day motion we dealt with

earlier today, suggested to the government, as far as the Ontario security fund is concerned—I totally agree with the member for Parry Sound-Muskoka that security and safety of the individual is a matter of great concern to people nowadays, ever since September 11. But although situations like body-rub parlours and adult entertainment parlours are of some security interest, I suppose, to some people, those are not the real concerns of Ontarians. They are really concerned about their safety and security in their municipalities on a day-to-day basis.

As to what we have suggested, we have said, out of that \$600-million SuperBuild fund you've set up and haven't spent yet, why don't you take \$100 million of that and make it available for the real security concerns of individuals—for the firefighters, for the police forces and for those projects identified at the municipal level that can actually enhance the safety and security of the local citizens? That's what should have happened. Of course this kind of a bill can't possibly deal with those issues, because those are not the kinds of powers for municipalities that are contained in this new Municipal Act.

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Are there some good things in this act? Yes, there are; no question about it. Three private members' bills that were suggested by three members of my party are contained in the bill: Mr Bartolucci and his child prostitution bill; Ms Pupatello and her anti-rave legislation; Mr Bryant with respect to his security legislation. To that we say, "Good, you listened to us. You included those ideas, and municipalities can now deal with those," which wasn't the case before. But on the central issue of giving the municipalities the power and authority to deal with all those issues that are within their concern, you have totally and absolutely failed.

I say to the Minister of Energy that I find it a real shame that you no longer have control over the capital budget within your ministry, and the same thing with respect to the rest. That has all been handed off to David Lindsay and the Premier. I know and you know that what's going to happen is that just before the next election there will be a whole new series of announcements as to how that money is going to be spent. But you and I know, Speaker, that that money could be expended right now on the much-needed sewer and water projects various municipalities have.

**Ms Marilyn Mushinski (Scarborough Centre):** You are such a cynic.

**Mr Gerretsen:** I'm accused of being a cynic by the other side. Your government has made me a cynic. I used to be an individual full of optimism, but certainly listening to this government for the last five years has made me the kind of person I am today. So you can take the blame or the responsibility for it.

**Hon Mr Wilson:** That's because you like living in misery.

**Mr Gerretsen:** I like living in misery? No, I'd much rather live in Kingston, one of the greatest places in this province. Those of you who have been there know it is



just down the river from Mr Runciman there, who may or may not be a leader in this upcoming leadership convention. It was very interesting to get an e-mail today from an individual by the name of, I believe it was, Dean French. He was e-mailing the entire Liberal caucus, asking us basically to set up support for Mr Runciman. I know that's got nothing to do with the Municipal Act, but it is kind of interesting that here in your offices you get e-mails not just from your own supporters, but from people all across the political spectrum.

The other thing that's included in this act, to show you how much trust you have in municipalities and to show you how much partnership you want to have with them, is that you have brought in those report mechanisms from the Public Sector Accountability Act. Municipalities will now have to fill out more forms that you're going to be happy with. If you really are in a partnership situation with municipalities, is that necessary? We have a Provincial Auditor who could audit the books of local municipalities. All you have to do is pass my Audit Amendment Act which I've suggested to you, and he would look after that. All you've done is created more red tape. Yes, this may come as a surprise to you, but you've created more red tape. Just ask the hospitals and the universities and colleges about all the reporting requirements you now need for the funds you give them. You have created a lot more red tape. I know you don't want to hear that, but that's the fact of the situation.

Yes, we had hoped to support this bill. We had hoped to be in a position where we could do that. However, there are so many gaps, so much lacking in the essential ingredients of what we wanted to see in a new Municipal Act that unfortunately we can't support it.

#### *Interjection.*

**Mr Gerretsen:** Now the member in government sounds more like a cynic than when she accused me of being one earlier, but that's the way things are around here, I guess.

I would sincerely hope that this bill will get a good public airing. We're talking here about a major piece of legislation, no doubt, a faulty piece of legislation, 320 pages worth of legislation. If what I heard earlier this evening is correct, that the government is going to allow three or four days of public consultation during our constituency week, which is 10 days from now, I would think what is sadly lacking in a major bill, which in their own words is the first time this Municipal Act has substantially changed in the last 150 years. Surely it requires more than one week of public consultation with all sorts of individuals and groups.

I've just talked about the municipal sector, but there are also many other groups out there that don't necessarily agree with what's in this bill either. If we're going to pass an act, and if you're going to accept some of our recommendations that hopefully by way of amendments will strengthen this act rather than being the weak act it is, we will need a sufficient amount of time to do that in. I would hope that will take place in January or February of next year.

This bill is lacking. This government has lost a golden opportunity to treat municipalities with respect and in equal partnership.

#### **The Acting Speaker:** Comments and questions?

**Mr Bisson:** I listened and I heard a number of points that were made by the member from Kingston and the Islands. I was going to say another community; don't ask me why. I know you come from Kingston and the Islands. He was the former mayor there, and I know he speaks with some authority when it comes to the issue of powers that should be more properly put in the hands of municipalities. I too, along with the member from Kingston and the Islands, agree with the concept that we need to give the municipalities, as the government says, the kind of tools they need to be able to do their job right. After all, they are the government that's the closest to the people, and we need to make sure we don't hamstring municipalities from being able to carry out their duties. Truly, it is long overdue that a bill comes to this House to give municipalities the kinds of powers they need.

I fear, however, there are a number of things in this bill that need a little more public consultation. That's one of the reasons I'm asking, as a member of the New Democratic Party, along with our critic, Michael Prue, that there be hearings this winter, in January, February or March, to be able to consult municipal partners on this bill. For example, and the member from Kingston and the Islands may want to answer this, why is it that in this bill every municipality other than Toronto is allowed to set the boundaries for where the wards are going to be in a municipal election? Why is it only the city of Toronto that doesn't have that right? They're excluded in this bill. Why is it that every city or town across Ontario has the right to determine how many councillors are going to sit around the council table but again the city of Toronto is precluded from doing that in this bill?

I think that's offensive. I think that's Toronto-bashing. I'm not the biggest fan of the city, I'm a small-town boy from northern Ontario, but I understand the city of Toronto has problems that are specific to it. I wonder why the government has specifically blocked Toronto from being able to do those things on their own, such as any other municipality should be doing.

**Hon Mr Wilson:** I just wanted to comment on the comments of the member from Kingston and the Islands with respect to the new Municipal Act. I respect his opinion. He has the right to express his opinion. He is a former mayor and came from the municipal ranks. I just wanted to clarify a couple of things.

SuperBuild is a very positive initiative by the government of Ontario, and I'll give you a couple of good examples. When I was Minister of Health—so I would be about the biggest capital spender in my two and a half years because we were building hospitals, not closing them, but unfortunately it takes a while to plan these things, like five years to do the blueprints on the hospital—we spent a record amount of money and, yes, the Minister of Health could look at his or her capital budget and set priorities based on input from various commun-

ities. But there was no real coordination. The new hospital wouldn't necessarily go into the fastest-growing region in the province because we didn't necessarily talk to the Minister of Municipal Affairs, or we didn't necessarily have forced coordination, which is really SuperBuild. SuperBuild, as the honourable member said, is all of the capital of the government of Ontario, some \$13 billion worth of capital over the last three years, a record in Ontario. It's meant to coordinate across ministries, something the people of Ontario asked us to do, municipalities have asked us to do, and to do proper planning in this province.

I just wanted to correct the record: David Lindsay is a deputy minister of this government. He does not make final decisions, and the Premier doesn't sit on SuperBuild. So it would be very, very infrequent that he would have anything to do with that committee. Those decisions are made by MPPs on the governing side, and it's done with a lot of input from a lot of ministries, which is a better management system than anything in the past.

2000

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I want to speak for a few moments as a municipal politician, which I was for 15 years, and 11 years at the head of a council. They always said that that was the government closest to the people and could represent them well. I know that changes have to come, the times and changes we're in, but I do hope we'll have public hearings on this piece of legislation. I think the municipal representatives could possibly make it a better bill in the end.

Initially there was a billion dollars of downloading to municipalities, and I understand that's now in the neighbourhood of \$650 million. I know, as a former municipal politician, that with all the downloading, the provincial highways, the ambulances, sewer and water in some instances, mostly water—the overpasses in our part of Ontario are falling apart. At one time we used to come here to the Good Roads convention and meet with several ministers. We used to get supplementary funding to help repair those bridges and overpasses, and now that's more difficult. On top of that, housing was thrown in there, and the municipalities are having a hard time facing that.

I have many inquiries, almost daily, on how to access the SuperBuild fund, because the municipalities want to know. They were at your conventions. They met with your ministers, they listened to your staff, but they came away not much wiser. I think they cannot wait until the election to access this money. It's got to be done now.

**Mr John O'Toole (Durham):** Most members here, and I respectfully say that it would include both sides of the House, have served time municipally and realize that they've always been asking for more authority, if you will, autonomy in some senses as well, and it's long overdue. The Municipal Act, as we know, has had several attempts. The previous governments had the attempt to look at this rather antiquated piece of legislation.

We also know that, clearly, the municipal level of government, constitutionally, is empowered under the

Municipal Act, which is a provincial jurisdictional area. We've clearly made it that there was some efficiency on the whole debate on amalgamation, and the government is giving an option for municipalities, lower- and upper-tier, to become more efficient by harmonizing and bringing together areas of the province, indeed my own area. So if I want to look locally, having served at the municipal level and regional level, they can do things better, and they are, as was said by one of the previous speakers, closer to the people. But we have to build into that equation not just the rights of the municipality to respond to their constituents and their residents but to be responsible for the use of taxpayers' money.

We relentlessly say there's only one taxpayer, and ultimately the tools in the new Municipal Act will allow municipalities to do certain things. One of the problems I've heard about, of course—we've all talked about it—is the right to license. I'd like to see that in the future you wouldn't have to have a multitude of licences. For instance, a plumber in Durham region should not have to have a plumbing licence to operate in Clarington or Port Perry or Oshawa, which are the municipal centres in my riding. They would find some practical method of allowing small business to operate without another layer of burden and regulation.

This is an empowering sense of legislation. I support it and I expect the other side will as well.

**The Acting Speaker:** The member for Kingston and the Islands has two minutes to respond.

**Mr Gerretsen:** I thank the members from Timmins-James Bay, Durham and Stormont-Dundas-Charlottenburgh and the Minister of Energy.

Let me first of all say that I totally agree when you say that the municipal politicians are the closest to the people, and the services that a municipality provides are probably the services that more people deal with on a day-to-day basis than at any other level.

Let me also quickly say to the Minister of Energy that I don't think there is anything wrong with major capital projects being vetted through more than one ministry. That's not the point I'm trying to make at all. As a matter of fact, in good municipal governments, department heads get together all the time to find out exactly what's happening in other departments so there can be co-ordination. There certainly should be that coordination here as well.

The point is this: some municipalities applied under the \$600-million fund 15 months ago. They've filled out all the applications. They've been checked. They've met with your bureaucrats. They've done everything they possibly could—15 months ago—for much-needed sewer and water projects, and out of the \$600 million, only \$14 million has been allocated. Nothing else has been approved. That's where you've lost your power and authority. At one time, you could approve, as minister, the capital projects within your ministry. That has been lost by its going to SuperBuild. Mr David Lindsay can be the most wonderful individual in the world, but he should not be placed in the strong position that he is.



Let me correct one other thing. Certainly in the areas of universities and colleges, SuperBuild has made some huge investments, including in my own municipalities. Queen's University, with the \$40 million that it got for its new chemistry building, and St Lawrence College, with the \$21 million that it got for its expansion, we are thankful for. Finally, some of the money is coming back to the people who have been paying it into the government, and we thank you for that.

**The Acting Speaker:** Further debate?

**Mr Garfield Dunlop (Simcoe North):** Thank you very much for the opportunity to rise here this evening and speak to the second reading of Bill 111, the new Municipal Act. With so many former municipal mayors, council members, regional council members and county council members that we have in this House, I can't imagine anyone not being very happy with a new Municipal Act. I congratulate my friend and colleague Chris Hodgson, the member for Haliburton-Victoria-Brock. He's done a phenomenal job in all the ministries he has represented, beginning with MNR, as Chairman of Management Board, and now as Minister of Municipal Affairs and Housing.

I think it's fair to say that this bill is one of the more important bills this House, I hope, will pass. It's something municipalities from across our province have desperately wanted for a number of years, at least three decades that I can think of. I've heard comments back and forth from mayors and council members and in the media that a new Municipal Act was required.

From my own perspective, I spent 18½ years in municipal politics. I really want to dwell a lot on that this evening and particularly talk about the rural aspect of municipal politics and give a little history of myself and some of the friends I've met over the years, and finish my comments off with some accountability measures that this bill takes in and some quotes from some very well-respected mayors, people in the media and council members from across our province.

When you run for municipal council, some people plan for years and years ahead. But other people, and I think particularly in rural Ontario—it's what is really nice about rural Ontario—we often put our name on the ballot just to help out on a particular initiative or to work on a certain project in the community. Mr Speaker, I think you may have been a municipal council member yourself in the past. I think often we in rural Ontario compare being on the council to belonging to a service club or an organization in your community. It's your way of trying to help the community, because you certainly don't go into municipal politics for big money. That's one thing you don't go into it, for because you do spend a lot of time on it.

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I know that when I ran for council I couldn't believe people actually asked me to run. It was 21 years ago when they thought I would be a decent council member. I ran in that election in a municipality of 1,300 people, my hometown. I was very proud to be elected. The first time

I ran for council I think I placed fourth on the ballot; I was the fourth highest in votes. I really enjoyed it. I really enjoyed being on the municipal council of the village of Coldwater. I can remember being put on the library board and on the community centre board. I think one of the reasons I was originally asked to run for council was that I was very—

*Interjection.*

**Mr Dunlop:** Don't heckle me, Jim. I was very active in the minor hockey organization and ran hockey tournaments and that sort of thing. With that in mind, I decided at the end of two years—by the way, that was the last two-year term. That was 1980-81. That was the end of the two-year terms. John, you were probably one of those people who were on council in the two-year terms as well. In the fall of 1982 we ran for the first three-year term and it's been that way ever since. That year I ran for reeve of the village of Coldwater. I won that time. I think I was the youngest reeve there ever was in that community, with the exception of maybe one other gentleman who's a friend of mine, Earl Brandon. I think Earl and I were almost exactly the same age.

I hope I'm not boring you with these things, but I find it very exciting.

Becoming the reeve of the village of Coldwater gave me the opportunity to sit on county council, and I'll tell you, our council chamber in the village of Coldwater was in an old building. It wasn't too classy, but we got a lot of work done there. When I went to county council for the first time, in Midhurst, we had this beautiful state-of-the-art structure that I was so proud to be part of. They swore you in and the process you followed to become the member of county council was very formal.

When I ran for council I never dreamed I would be there for any more than one or two terms, and suddenly, four terms later as the reeve of the village of Coldwater, sometimes when I was—

**Mr Bisson:** What year was that?

**Mr Dunlop:** Between 1983 and 1994. I ran for four terms and won as the reeve. I was really excited about the work I got done, but I never campaigned because I didn't make enough money as the reeve of the municipality to even afford the expenses of running. But people elect you and they think you're doing the best.

In my work as the reeve of the village of Coldwater, I believed in two things: honesty and hard work. I still believe in that today. I don't know how many other politicians feel that way, but I've always taken the high road in politics. I believe in honesty and hard work and I think that's why I keep getting elected. I didn't go into it for the prestige or whatever. I'm very proud of those years, and there is an opportunity tonight to make some of these comments when we're talking about the Municipal Act.

But then we noticed pressures on all of our small municipalities in Simcoe county—there were 33 of them—and many, eight or nine villages, were facing pressures with the possibility of adding sewer and water systems and updating roads. We all decided, in 1989-90, to do a study of the county and we decided to amalgamate at that time.

One of things we did in the amalgamation process with Simcoe county, one of the factors that contributed to it, was the fact that we got Honda Canada to come into the riding of Simcoe county, creating what today are around 3,000 jobs. It's been a phenomenal organization, company, corporate citizen, in our county. At that time a lot of municipalities in the county were actually trying to annex land so they could grab part of the Honda property. The provincial government of the day—I believe it was Mr Peterson—felt it was unacceptable to have all these annexations around the county, that we should take a strong look at what was happening at the south end of the county. We amalgamated about eight or nine municipalities into three. Those three municipalities still stand there today and the county of Simcoe remains very strong.

At the same time, by the year 1995, we had the opportunity to amalgamate the rest of the county, and that's when the municipality I was in, along with all the other municipalities, put together a planning program. I became the deputy mayor of the township of Severn. I'm proud to say that right today the person I ran with in that election, my colleague and good friend Ron Stevens, who was the mayor of the township of Severn at that time, is now the mayor of Orillia. He's actually had an opportunity to run in two municipalities and he's now the mayor of the city of Orillia.

Probably one of the proudest moments I've had in municipal politics, leading up to 1999 when I was elected provincially, was the fact that I was elected warden of the county of Simcoe. For people who don't know the county of Simcoe, it's about the largest county in the province. The county was formed, I believe in 1843, five years before we even had the original Municipal Act. Today the county of Simcoe is very proud of many of the programs they run. In particular, the waste management program is very well run by the county.

The county of Simcoe has 31,000 acres of reforestation, I believe more than all the other counties in the province put together. We're very proud of that program in Simcoe county. Each year, and I've said this before in the House, the harvesting of the forest products amounts to a little over \$1.5 million in the county of Simcoe. They put that money toward programs in the county; for example, purchasing more lands for environmental concerns, and in fact they bought some wetlands; continually buying up other pieces of forested land so they can replant in the future or just have it for our future. It's very difficult to buy a piece of Simcoe county reforested land today.

The other thing I want to say tonight is that recently, just last week, the county council continued with its plan to help fund hospitals. Historically, including many of the hospitals dating back, I believe, to 25 years ago, the county of Simcoe has shown a strong interest and had a funding formula in place to help fund hospitals. The hospital at Collingwood was done not too long ago—

**Hon Mr Wilson:** The capital program.

**Mr Dunlop:** Toward the capital project as well, yes.

The Royal Victoria Hospital, the beautiful new facility at Barrie that we have—\$14 million was put into that by the county. Last week they announced that they would help fund the Soldiers' Memorial Hospital in Orillia, and that helps all the citizens around the city of Orillia in the townships of Ramara, Oro-Medonte and Severn. Those citizens who use that hospital now have some of their taxpayers' dollars, along with the 50% of dollars from the province, going into this hospital. I'm very proud of the fact the county made that decision last week. I want to congratulate all the members of the county council for taking that initiative and working hard to see that our hospitals are well-funded into the future.

What I'm saying here this evening, and I know I have gone on a long time about it, is that it's nice to be part of rural Ontario and it's nice to have a background in municipal politics, because when you come to this level of government, it is completely different. You're part of a governing body and it makes it worthwhile having had the experience of being on a municipal council. I've enjoyed provincial politics, but not any more than I enjoyed my years as a municipal council member.

That brings us a little bit to the reasons we have to have a good Municipal Act today. The reason for putting it in of course is that it reflects the government's commitment to a better provincial-municipal relationship.

## 2020

The municipal sector has told us a number of times that we need a new Municipal Act. I think we go back as far as—the ministers I can remember—Claude Bennett, John Eakins, Mr Cooke from the NDP. They all talked at one time or another about a new Municipal Act, and today I'm very proud to see that Minister Hodgson has brought forward one more initiative that we promised in our Blueprint commitment. We promised the people of Ontario in 1995 that we would see this take place, so I'm very happy that it's one more thing that has been accomplished.

I think it's fair to say that the new Municipal Act will replace the current one, which is 152 years old. The new Municipal Act is simpler and easier to understand, less prescriptive and more enabling for municipalities to deal with. Municipal requests for more flexible authority must be balanced with the need for greater accountability and transparency in service delivery.

One of the themes of the new act is community safety. Municipalities—and I know you'll be happy on the other side to hear this—will be empowered to deal with biker gang clubhouses by regulating and prohibiting excessive fortification of properties. I think that's probably a good idea and I'm really glad that some of those suggestions may have come from our colleague from St Paul's. I certainly appreciate some of the comments he's made on some of my private member's work in the past, and if Michael had anything to do with this tonight, I thank him for it.

We appreciate the important ongoing role of AMO and other municipal associations and the business sector in resolving issues in the development of a new act.



AMO is something very special. I think our colleagues in the House tonight and those who are present at other times who have a municipal background really do appreciate AMO. They have had some great leaders, great presidents and chair people from across the province over the last 21 or 22 years that I can imagine, and I think they've worked well with all governments. Even when the NDP was in power, I thought they did a good job of working with the government. The Premiers and the Ministers of Municipal Affairs and Housing are always keynote speakers at most of the functions, and I think they've done a wonderful job.

I'm pleased to say that the feedback received so far from stakeholders and the public on the new Municipal Act has really been positive. I'd like to just take a couple of minutes and read some of the responses we've had from our colleagues across the province.

**Mr James J. Bradley (St Catharines):** Tories.

**Mr Dunlop:** They may be Tories. I don't know why anybody would be partisan if you were president or chairman of AMO.

First of all, from Anne Mulvale, the president of AMO: "We believe this legislation will improve provincial-municipal relations. We serve a common taxpayer. It does not make sense to them that legislation clouds responsibility and accountability. This act should go a long way in clearly setting out how we handle shared provincial-municipal interests and providing the autonomy necessary to deal with entirely municipal community interest." That's by Anne Mulvale. As well, she said on October 19, "This is truly a historic day." She's referring back to the act that's 150 years old.

Detective Inspector Jim Symons of the Thunder Bay Police department said, "I think the proposed act is better for the community. It allows the community better control of what kinds of businesses they have, who is in them and what they do."

Another quote: "This act could also be used to curb rising fuel costs in northwestern Ontario," said Thunder Bay Mayor Ken Boshcoff. "We could end up being a gasoline distributor ... if we felt the private sector was not serving us properly," and that's because of some of the parts of the act that allow municipalities to work more closely with the private sector.

From Ken Seiling from Kitchener-Waterloo: "On the face of it, it gives a lot more flexibility to municipalities." I think a lot of people in this room have met Mr Seiling over the years. He's done a great job as the regional chairman of Waterloo.

I could go on for some time with that, but I just want to wrap up by making a few comments about SuperBuild. We heard that earlier from the member from Kingston. I'm very pleased with the announcement we've heard on SuperBuild as well. We've had a couple of announcements in my riding to date, totalling over the \$14 million he's talking about, just in my riding alone. As well, our Georgian College in Barrie, with satellites throughout Simcoe county, has received SuperBuild approval and is currently planning on construction of 2,300 new pupil

places for Georgian College. I think over a billion dollars has been allocated from SuperBuild to colleges and universities across the province.

I'm happy to say that I think we're going to have a lot of good announcements that will make a lot of people in this room from all parties very happy when they hear some of the proposals that I understand are coming down before too long.

With that, Mr Speaker, I want to say that I appreciate your patience in allowing me to say a few words about my background in municipal politics, particularly from rural Ontario. I really do appreciate the fact that Minister Hodgson has brought this bill forward. I expect everybody will support this.

*Interjection.*

**Mr Dunlop:** I can tell my friend from Hamilton Mountain will be supporting it for sure, and maybe even the member from St Catharines. It's been a pleasure to be here this evening and say a few words on this.

**The Acting Speaker:** Comments and questions?

**Mr Bradley:** I was hoping the member would have made reference to the obvious hidden agenda contained in this legislation, and that is the hidden agenda of the privatization of municipal services. There's considerable encouragement to municipalities to outsource those services. In these difficult times of security, where people are looking to governments to try to ensure that there is safety and security, we really wonder about this government encouraging that privatization.

There's always a group of people who slip away from municipalities to Toronto or somewhere, and they bring in—I don't know the person's name, Skip Kip, or something like this. He's the former deputy mayor of Indianapolis, and he has this great plan for the privatization of services. The people who are rubbing their hands about this, of course, are the people who attend the Tory fundraising dinners, because they talk about it, they whisper in the ears of the ministers who come to those meetings and say, "You know, we can provide this service much cheaper."

Well, we have seen some examples of that service, and it has been neither cheaper nor better in some of those circumstances where the private sector has come in to operate those services. In fact, I can think of one municipality where there's been some considerable investigative reporting taking place on what is happening, and it does not reflect favourably upon the company that is providing that so-called service.

I notice in the regional municipality of Niagara, they've got some group from the southern United States that wants to come in and say, "We will give you \$25 million for your water and sewer system. The reason we're proposing that to you is that it's a write-off in American taxes."

I'll tell you, the municipalities have to keep their eyes open for these schemes. We all know, in dealing with these kinds of proposals, that if it sounds too good, if it looks too good to be true, it is too good to be true. But this government is leading municipalities down that path, and I believe that's a mistake.

**Mr Bisson:** I just want to say to the member across the way again that as a New Democrat I don't oppose the direction that this bill is taking. In fact, there's much in this bill I can support. I also want to say again, because it needs to be repeated over and over, that if we're going to get this bill right—because it is quite a complex act. I think the member would agree. The bill itself is about an inch thick. A number of fairly technical sections are tied to the bill. It's the type of bill that, if it is passed without good scrutiny on the part of the legislators and, I would argue, our municipal partners, we could end up in a situation as we did with the Assessment Act, where the government hurried the bill and passed it to change assessment systems in the province and then had to come back and pass seven pieces of legislation to try to fix the problems created in the initial act.

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I'm making a suggestion to the government, which I see as a friendly suggestion, that we should have the debate, as we are now, at second reading this fall on this bill. We should allow that bill to travel through the winter months into next spring—even if the House were to prorogue this fall, which I think it could do, we could, by motion of the House, allow that bill to survive to the next session—and then have it out there as a way to go out and engage with our municipal partners in a dialogue that would look at how you make this bill work. There are a number of sections in this bill that I think need some complementary work.

It would also give the leadership candidates in the Tory party an opportunity to laud something that the government is trying to do over the winter with some of the municipal folks that I'm sure are going to be part of the Tory convention in selecting the next leader, whoever he or she might be.

I suggest to the member that we end up in a process of real consultation in committee this winter and we don't hurry this bill, as I suspect this government's going to do this fall.

**Ms Mushinski:** I'm particularly pleased to join in the debate this evening with respect to the comments from my very esteemed colleague from Simcoe North, who offered a very refreshing perspective from his own personal experience. It's interesting, because I know he served a few years in municipal government, as did I, and I think he brought that sort of very grassroots-based perspective to his discussions and arguments with respect to supporting changes to the Municipal Act, which have not fundamentally changed for over 150 years.

He spoke also to the fact that it is important that municipalities—and I agree with the member for Kingston and the Islands, because it's a level of government that is actually closest to the people. It is important that senior levels of government, like this government, give municipalities the tools by which they can govern over the issues that most affect them.

I know, for example, my very good colleague the member for Niagara Falls has been working very closely on legislative changes to address the whole issue of

body-rub parlours. Pretty well every municipality, certainly from my own personal experience, wants to have those tools to deal with those local issues.

**The Acting Speaker:** Comments and questions? The Chair recognizes the member for Hamilton Mountain.

**Mrs Marie Bountrogianni (Hamilton Mountain):** Thank you, Mr Speaker. It's amazing how you can look over there and see me over here. That's really very good.

I'm pleased to speak about this bill for a couple of moments. I appreciated listening to the member for Simcoe North's background; it was very interesting. Now, you ended up by saying a few announcements are going down the pipe that are going to make us very happy. Well, we want more than just the announcements; we want the money to the municipalities, to the universities, to the colleges. Most of this money has been announced. Most of this money is still being waited for at the universities and colleges and hospitals.

A good example was in the paper this week at Ryerson. Calatrava, a world-renowned artist and architect, was supposed to come and build the attachment to Ryerson to give some aesthetics to a badly needed city core. The deal fell through, and one of the reasons was that the SuperBuild money that was announced hasn't arrived yet. There again, a world-renowned architect left. I'm sure we'll get a very good architect and I'm sure the building will be built someday, but when?

I guess we're a little suspicious on this side of the House that all these wonderful announcements that the member for Simcoe North alluded to are probably going to come—

**Mr Bradley:** At election time.

**Mrs Bountrogianni:** Thank you, Mr Bradley—just before the election so you can all look good and pose with shovels in the ground and so forth.

With respect to the universities, this money is needed now because it takes time to build buildings, it takes time to build lecture halls. It's not needed down the way, just before an election, so you can all look good.

I agree with the member from Timmins that when the leadership across—it's a good opportunity to discuss this bill and to improve upon it. A few of the aspects of it we agree upon, those our colleagues contributed, but it doesn't go far enough. It's just window dressing.

**The Acting Speaker:** The member for Simcoe North has two minutes to respond.

**Mr Dunlop:** I'd like to thank the members from St Catharines and Timmins-James Bay, my colleague from Scarborough Centre and my friend and colleague from Hamilton Mountain for their comments on my comments.

I'd like to talk a little bit about SuperBuild again. I've been very excited about this program from the very beginning. What I also find exciting about it is the fact that in some cases of SuperBuild announcements we've actually been able to get Brian Tobin, from Industry Canada, to participate in some of the announcements under a revised Canada-Ontario infrastructure program, and that's good. Let's face it. We criticize the feds in



here and governments of all levels fight back and forth, but when we're talking about the Municipal Act and the relationships we can build with our municipal partners and the opportunities to allow them to seek some private partnerships, if they want, or some new initiatives, it's also nice to see that we can co-operate as well with Mr Tobin's ministry and do some Canada-Ontario infrastructure program announcements.

I know we'd like to go a little further on that. We'd like to bring Mr Collette into the picture. We'd be pleased to see that with some transit money for across the province. I'm sure he spoke about there being a need for it. We took him at his word and felt possibly he would come up with the money for that as well.

But really, there's only one taxpayer in the province and we need to use that money to the best of our ability. I'm glad to see the province co-operating with both the municipal and federal governments on this infrastructure program.

**The Acting Speaker:** Further debate?

**Mr Michael Gravelle (Thunder Bay-Superior North):** Mr Speaker, I'd like to share my time, if I could, with the member for Ottawa Centre.

**Mr Dominic Agostino (Hamilton East):** A great member.

**Mr Gravelle:** The honourable member for Ottawa Centre is a great member.

This is indeed an important piece of legislation. The member for Simcoe North made reference to that and many of my colleagues have made reference to that. I think I will begin by saying there are some elements of this bill that are quite positive. What's interesting about those positive elements is that they relate in a particular sense to community and public safety, and they're pieces of the bill that have come about as a result of legislation that was brought forward by three of my colleagues in the Liberal caucus.

Sandra Papatello's rave bill proposed that municipalities be required to issue a permit before a rave occurred. Bill 111, the Municipal Act, gives municipalities the ability to license and regulate raves, and we're pleased to see that in the legislation. Bill 104 of Michael Bryant and Dave Levac, our members for St Paul's and for Brant, allowed municipalities the ability to restrict and regulate the use of fortifications on buildings. Bill 111 grants these powers to municipalities. Bill 24 of Mr Bartolucci, the member for Sudbury, allowed for the licensing and regulation of adult entertainment parlours by municipalities. We're pleased to see that Bill 111 gives the municipalities expanded powers to license and regulate body-rub and adult entertainment parlours.

If I may refer to the remarks by the member for Simcoe North, he quoted Detective Jim Symons from Thunder Bay, and those positive comments were in direct relationship to those specific issues. So we're glad to see those in there.

But there are some real problems with the legislation. We have tried to explain them. Certainly the member for Kingston and the Islands did a pretty good job of ex-

plaining, and may I say our critic, Mr McMeekin, did a very good job when he first opened debate on this legislation yesterday by saying that what it comes down to is that these are issues of trust and respect.

The history since 1995, since this government came to power initially, has been one of a relationship with municipalities that's been nothing short of insulting.

**2040**

We certainly know about the Who Does What process, headed up by David Crombie, which was begun back in 1996, I think. This was basically to work on the realignment of responsibilities from the province to municipalities. What we ultimately discovered was that this was really about downloading responsibilities to municipalities without providing them with the resources they needed to manage those responsibilities, let alone the fact that some of those responsibilities absolutely should be under the purview of the province. That process itself was fascinating, mostly because the actual Who Does What committee recommended against a number of things and the government went ahead anyway. The municipalities had to go through a process whereby they were forced to take on these responsibilities, and I think a great deal of trust and respect was lost during that process.

We've seen it also with the forced amalgamations that have taken place in the province. I have one amalgamation in my riding that is still a very sensitive issue, that is, the amalgamation of the community of Greenstone. Greenstone is an interesting story. This is a massive municipality, made up of Beardmore, Longlac, Geraldton and Nakina and a substantial amount of unincorporated territories around there. There were a significant number of people who thought this was not going to be a good idea. It was a huge area. For example, between Beardmore and Geraldton, there's about 80 kilometres' distance. Between Geraldton and Nakina, there's about 75 kilometres' distance. It's a massive municipality.

Those who wanted this to go forward—the government was going to force them to go forward; they even went to court to force them to go forward—said the huge benefit would be the great revenues that would come from the TransCanada pipeline. We've learned since then that the transitional costs are massive—the municipality is obviously huge—and the revenues from the TransCanada pipeline do not appear to be anywhere near what we expected them to be. Again, I think there was a great loss of trust as a result of that process.

One would like to see enshrined in this legislation at least an agreement or a memorandum of understanding that in the future, if further decisions are being made in terms of governance of municipalities, at least they will have some opportunity to have consultation and be able to really discuss this. The government has agreed in this legislation that they will do this memorandum of understanding, but only after the legislation is passed. So if you are thinking in terms of trust and respect, you have to be concerned about it. That memorandum of understanding should be enshrined, let alone the fact that the

vast bulk of this bill—we won't even get to know what's in it until it has been passed. As usual, the devil is in the details, and we're going to have to see how the bill works out in the past tense, so to speak.

I appreciate that a number of municipalities have endorsed this legislation; probably AMO has in essence endorsed this legislation, and a lot of other organizations. And some of those quotes have been used. I must admit I appreciate why. There is a general understanding that this is better than what was there before, and there is certainly great hope that this legislation will give the municipalities more authority and will allow them to run their municipalities in a better fashion. I hope that's true. The one thing I will say is that municipalities continue to be optimistic that they will get the opportunity to run their communities the way they want to.

I, for one, do not have that great faith, based on the history of the province with the municipalities. While I applaud the municipalities for being hopeful, I can't share the optimism that that's going to be the case as long as those things aren't in place. When you don't have a memorandum of understanding that there will be no decisions forced on municipalities related to governance without consultation, unless that's enshrined, it makes you worry. It makes one believe there's a reasonably good chance we might not be able to trust them, simply based on the history of the relationship we've had between the province and the municipalities. So I have concerns in that regard.

There's another situation I can't help but think of. The minister of corrections, Mr Sampson, announced in May 2000, and then reannounced in September 2000, that there was going to be a major expansion of the correctional centre in Thunder Bay. They were going to close down the district jail and build a major expansion of the correctional centre—this is a great, \$20-million project. Subsequent to that, the municipality made a decision that they would prefer to have the system run as a public system—actually prior to that; they did this first—rather than as a private system. The minister announced that indeed the correctional centre would be publicly run for at least the next five years. But subsequent to that the minister has made it very clear that he is not going to be moving forward with this particular project unless the municipality removed that resolution related to their belief that the correctional centre should be a publicly run system.

This, to me, is a form of—what's the word I can use? Help me here. It's not a good relationship when the province can hold that kind of threat over a municipality. One would hope that kind of threat would not be in place. I think that's wrong. This is an important project in Thunder Bay, and the municipality should not feel threatened that they must remove a resolution that was done with the best of intentions in order to get a project from the province.

We have before us a piece of legislation that actually requires the municipalities in many ways to become more accountable. They've taken some of the aspects of what I

think was previously Bill 46, which require municipalities to provide report cards and other accountability measures. They have now been rolled into Bill 111. The irony of that is that we have a government in Ontario that is not particularly accountable itself, and yet it is going to continue to force the municipalities to be accountable in a fashion that may have some negative implications.

One is left with the conclusion that although there are some good elements in this legislation—and again I thank my Liberal colleagues for bringing some of those measures forward, and I thank the government for including them in the bill—and although this act by all accounts is better than the one that was there before, there is enough concern out there and frankly enough concern that I think we have rationally debated in the Legislature, whether I'm speaking on behalf of municipalities or on behalf of our constituents, that should make us take pause, based on the history of the relationship we've seen between the province of Ontario—the government—and municipalities in the past.

It gives me some worry. I certainly would like to see appropriate amendments going forward. I think we need to have substantial public hearings. I certainly hope the government will at least allow us to put forward those amendments.

**Mr Richard Patten (Ottawa Centre):** I'm happy to participate in the debate this evening on what is really an important issue. I imagine that by this time members will certainly be seeing a pattern here.

In a nutshell, this bill, which is voluminous, with 319 pages I believe, represents somewhat of an exercise in streamlining—and I think that needs to be recognized—in that it has cleaned house somewhat and tidied up some efforts in identifying the basis on which the municipalities exist.

Just to reinforce and perhaps put it in a different context, the people who live in communities perhaps aren't aware of the nature of the relationship of municipalities with the province, that indeed they do not have any constitutional authority in and of themselves. They are in effect creatures of provincial legislation. Having said that, while the historical relationship has changed from government to government over time, it has suffered somewhat since 1995 with some fairly drastic manoeuvres on the part of this particular government by virtue of amalgamations that have taken place and the downloading of services without the concurrent resources that are required to operate those services.

I know that municipalities have had a very tough time, some perhaps more than others given their particular responsibilities, and I will address that as we move along.

**2050**

I'm quite aware that the Association of Municipalities of Ontario officially did lend their support to this, but they call it a good first step. Members will know what that means. That's code for, "It didn't go far enough; it's a bit better than what we have at the moment, but it's really not sufficient to do the job." Certainly that's what I'm hearing from my municipality and from some other



municipalities by way of some of my colleagues in the House.

There are, as I have said, some provisions in the bill that I believe are important. So it really comes down to, should we be lending our support to something that is less than a half measure? And I say that because it is a half measure, given that the majority of the people in Ontario live in municipalities—they live in towns and cities—and yet those particular jurisdictions do not have anywhere near the authorities or the scope to address the responsibilities that they are charged with, and of course increasing their responsibilities over the last little while by virtue of some of the downloading that has gone on by virtue of the Harris government since 1995.

There has been an incorporation, as has been pointed out by some of our colleagues, Rick Bartolucci and Sandra Pupatello and Michael Bryant and David Levac, of some of the pieces of legislation that relate to this particular overall effort. But this act is too small a victory in what is a far larger battle. It's almost akin to someone being told that they're going to perhaps lose their leg and they'll have to receive an amputation at the hip. Then after a little while, the surgeon says, "Well, by the way, I have good news for you. I won't have to amputate at the hip; I will only have to amputate at the knee." The patient is delighted that this is somewhat of an improvement on what might have been a pretty tough situation. At least half the leg is in place.

Perhaps that's a severe analogy, but I believe that the challenge that we face in the 21st century is really shoring up our cities, that we have a choice in Ontario, that we have the largest population of any province in the Canadian confederation, that we have cities of two million and pretty close to a million in Ottawa, where I come from, and others that are around 600,000 or half a million and in that particular range, which places a good number of cities in the forefront, population-wise, in the Canadian context.

So we have an opportunity to respond as other provinces have responded, and I cite Saskatchewan and I cite BC, with their effort to recognize the necessary opportunities for cities to be able to have a degree of authority and to function within their own context. I must say that it is somewhat embarrassing to see mayors of large municipalities in particular—it doesn't matter the size—having to crawl on hand and knee and beg for resources and beg for opportunities to meet and address issues that of course they are responsible for but do not have the resources to address what is there.

When I think of the meeting that was here of AMO, there were a number of comments made by various mayors and municipalities related to this legislation. I have one here from the Ottawa Citizen commenting—it was done by April Lindgren, who is here in the Legislature, and it talks about our mayor in Ottawa saying, "What we want to do is generate an action plan for public awareness and political action to get the federal and provincial governments to look at a new constitutional status for cities," which of course does not exist, and this does not exist in this particular bill.

He goes on to say that Ontario's cities, for example, should be free, as—this is just one example—American cities are. You wonder how some of the American cities get so much money to build sports facilities for basketball or for hockey or for football or whatever it is. Why? Because they charge athletes from other areas who arrive in their city, if they're out-of-state, a tax. So they pay these taxes from their income tax.

We're not permitted to do this in Ontario. Why, I don't know. This would certainly help at least two, three or four cities to deal with arenas or stadiums or certain facilities that of course are businesses even in and of themselves. I'm proud to remind people that the CFL is returning to Ottawa, so we have a good facility there now, but who knows what will be required over time? Certainly not a dome as we have here in Toronto, but maybe some help on being able to address the elements.

I was looking for another quote but I can't find it in my notes right now. But I would say that the municipalities have no more powers to raise revenue. Of course, this is a sensitive one. We certainly don't want to see a situation where one municipality goes absolutely crazy and has all kinds of taxes, limits itself, hurts its own image, affects surrounding areas, and you have a patchwork of all kinds of arrangements. At the same time, you want to provide some flexibility for some opportunities, because each municipality is unique in some ways, and provide some reasonable arrangements for some revenue generation and decision-sharing that will certainly help the environment of healthy cities and healthy environments where most of the population of Ontario lives.

Unless there is great consultation, great sensitivity and movement on the part of the government on this particular bill, it would be very difficult for us to support this at this time.

**The Acting Speaker:** Comments and questions?

**Mr Bisson:** I'd like to echo some of the comments made by the member from Ottawa Centre. He raises I think what is the general gist of what we're trying to say here, not only within the Liberal opposition but within ourselves as a party, as New Democrats.

We believe that the bill is a step in the right direction. We believe, as New Democrats, that municipalities must be given the "tools" to be able to exercise their authority when it comes to dealing with issues that clearly should be and are under the control of municipalities. However, when you read through the bill, and this is the problem I'm having as I go through and read the bill, it's some number of hundreds of pages, almost 345 pages long. It has over 485 sections in it. When you read the details you find out that municipalities are really not getting the kind of powers the municipalities should be getting. So it makes me a bit worried the more I read this bill.

Again I say, I like where you're going, I like the direction; I'm not going to argue on that. But I somehow fear that the bill really doesn't do what it purports to be doing. For that reason, I would argue we need to have fairly extensive public hearings in the intersession

between the month of December and the month of March to give municipalities and other interested individuals the opportunity to come before legislative committee re this very large bill and give us ideas as to what they think the bill does or doesn't do. Then, truly, if we're all agreeing in this House that we should be giving municipalities the kind of tools they need, if we're lacking in the bill, as I seem to see in this bill now, we'll be able to fix those types of things.

I urge the government not to move quickly on this bill, as I know they're going to do at this point, which is, "Let's give it quick passage. Let's get out of here before Christmas and pass this bill," because in the end I don't think we'll be doing the municipalities the type of service we need to be giving them as members of this assembly.

2100

**Hon Tony Clement (Minister of Health and Long-Term Care):** I rise to comment on the member for Ottawa Centre's discussion of the bill. Of course, I have a more than passing knowledge of the bill, having been Minister of Municipal Affairs for a period of time. I want to assure this chamber that this is a proper balance bill. This is a bill that talks about the appropriate responsibilities and the rights and duties of municipalities to deliver the kinds of services within their spheres and to deliver those services—and this is the second part of the bill—in an accountable manner.

It is not only about rights; it is about responsibilities. It is not only about powers; it is about the accountability, the way that one can measure the performance of municipalities, just as this chamber should be measured, just as the federal order of government should be measured as well. It really is a recognition of the maturity with which we treat municipalities in today's day and age. They are an extremely important order of government. There's a whole wealth of services that they have grown to deliver to the people in their respective jurisdictions, and this bill recognizes that. It is a modern understanding of the appropriate role of the municipal sector and at the same time a modern expectation, if I can use that term, of their responsibilities and the accountability necessary—not an accountability to this House necessarily or to the individuals in this House; an accountability to the public.

The municipalities would say, "We don't need any lessons in accountability to the public." I understand that argument and I accept that argument. But you need to have the parameters available in the legislation so that people know what to expect of their municipal government, know what rights they have to demand of their municipal government. This bill is that balance. I would expect that this House will find some things they want to say about it, but that is a good start, at the very least.

**Mrs Dombrowsky:** I would like to make some comment about the presentations made by my colleagues the member from Ottawa Centre and the member from Thunder Bay-Superior North, because I think they bring to the conversation some really important caution to municipalities in the province. Since my election, I've had many occasions to talk with municipal representa-

tives whose greatest issue is the fact that the downloading of services—or the realignment of services as the government would say, but it is a downloading of services—that that responsibility that now rests locally was not a dollar-neutral initiative. That was promised, that was guaranteed by the government, and that has not happened. I've not had one municipality in my riding come to me and say, "Mrs Dombrowsky, we have actually saved money with the downloading of services." That's not the case at all. In fact, they believe they are more burdened now than ever before.

Members have also referenced another issue that is a bone of contention within many municipalities. It is the fact that this bill does not prevent the government of Ontario from forcing amalgamations on communities. That's another issue, a very sore point, in many parts of the province still today. If you've had the opportunity to pay some attention to our colleague who is the critic for municipal affairs, you can appreciate how the fact that the government has been able to unilaterally and arbitrarily amalgamate municipalities against their will has been divisive. It has not produced the savings that the government had promised the initiative would, so I believe my colleagues have brought forward some very salient points that need to be considered by the government.

**The Acting Speaker:** The member for Thunder Bay-Superior North has two minutes to respond.

**Mr Gravelle:** I want to thank the member for Timmins-James Bay, the Minister of Health and the member for Hastings-Frontenac-Lennox and Addington for their comments. I can particularly make reference to the comments made by the Minister of Health, formerly the Minister of Municipal Affairs. I appreciate what he was saying and I appreciate that he's had a fair amount to do with this being put together in his previous role. I would think also that he would be sensitive to the fact that the one thing municipalities would like to have is some assurance of consultation. I know that the act right now, as it stands, says—there's no memorandum of understanding that indeed consultation will take place. I think that's a very important and a very sensitive point. Again, based on the history of the relationship between this particular government and municipalities over the last six years and some of the arbitrary decisions the province has made related to downloading, related to forced amalgamations, I think this consultation should be enshrined in legislation. I don't think that's an unreasonable thing to ask, and to some degree it's somewhat alarming, perhaps, that it's not enshrined in the legislation. We believe, as a caucus, that there should be a community charter, not unlike what they do in British Columbia, one that really does recognize the rights of municipalities to make decisions at the local level.

That's an issue that I think is very significant and, may I say, I hope not as significant as it seems. But it does puzzle me that the new act does not have consultation locked in as a guarantee. It's something that I think municipalities should expect and, again based on the history,



something I think they would really want. I appreciate that they want to move forward with this, but that is an area of concern we have that is very serious, and we certainly intend to bring that up in the public hearings.

**The Acting Speaker:** Further debate?

**Mr Bisson:** I looked forward to having an opportunity to put my comments on the record for this bill, and I know that the government across the way is paying attention to the many comments I'm going to make here. I think there are a number of things we really need to look at in some detail when it comes to this bill.

First of all I want to say up front, as I've been saying all night tonight, I do not have an objection as a New Democrat, as a member of our caucus, and neither does our caucus or our leader, Howard Hampton, have difficulty with the direction the government is taking by way of this bill. I want to make that comment straight up front, at the beginning, because I don't want people to think that we don't want to move in the direction that this bill is trying to go.

I have to believe that the government has introduced this bill because they're doing what they state they're trying to do by way of the title of the bill. The bill says, "An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities." As you read the preamble of the bill, it supposedly says we as a province are going to give municipalities certain abilities, by way of legislative and regulatory power, to make decisions on their own on a number of issues where before they had to come to us as a province and get authority.

I think there is not a member in this House who doesn't agree that we need to give municipalities in this day and age the type of authority they need to be able to do their jobs. It doesn't mean to say we shouldn't have provincial standards on a number of issues and make sure there is some consistency across municipalities. Surely the province has to have a role in that. But generally we want to make sure the municipalities have the tools to do their jobs.

It's true when the government says the Municipal Act hasn't undergone major revision in a long, long time. There's been some minor revision by various governments but there's never been a huge revision of the bill. I will argue that this is not really huge, when you read it in detail, because the government purports that this is a huge step forward. As I'm now reading the bill, I'm finding more and more that it's really a small step in the right direction, because the government says it wants to give powers.

For example, one of the major powers, one of the major bones of contention for municipalities is the whole issue of restructuring. For example, we would know that the provincial government, by way of provincial legislation in this session and the prior session, restructured a number of municipalities, such as the cities of Toronto, Ottawa, Matheson, Moosonee, Sudbury, Haldimand-Norfolk, Hamilton, and the list goes on. Legislation often came to this House without the support of municipal councils to do restructuring.

You will know that Toronto, Etobicoke, Scarborough, North York and others were forced to amalgamate into the huge city of Toronto by way of legislation in the House, much to the chagrin of local councils of the day. If I remember correctly, there were some five referendums held across Toronto on that very issue, and the residents in those communities, who voted in great numbers, large turnouts, voted over 75%, overwhelmingly opposing the government's move to amalgamate all of those municipalities into the supercity of Toronto. Unfortunately, the government just went ahead and did it anyway, and the city was formed into the one major megacity of Toronto. We were told at the time, "We're going to get you savings. We're going to get better efficiencies in the municipality." One only needs to go to this new city hall now and find out that it's inefficient and is actually costing us more money. We haven't saved a sou, as we say in French, when it comes to what we do now in Toronto.

**2110**

I have been reading the bill. I thought from what I heard the minister say that we were going to give the municipalities that power, that we were not going to foist restructuring on them by way of our legislative authority. Only we, the province, and only the municipalities would have the final say about who gets restructured. So if two neighbouring municipalities decided on their own, by way of plebiscite or whatever method, they alone would have the authority to decide if they wanted to amalgamate, and then they would come to the province and we would just rubber-stamp it. We would respect their decision. That, to me, is a very basic thing we should do for municipalities. It should be up to the local ratepayers, not us, the province, to decide which municipalities get amalgamated. If the residents of the communities of Kapuskasing and Fauquier want to move together, which I know they don't, it should be entirely up them. It should not be up to the province to make those decisions. I would argue that a plebiscite should make that decision.

So the government says, "We're going to give them that kind of right." As I read the bill, it is not like that in any way, shape or form. The bill, as I read it, basically says that the old provisions of Bill 26 still apply when it comes to municipal restructuring. I think it's under section 40 of the bill, if I remember correctly. It talks about—no, section 40 is about the tolls. I'm just going by memory here. I wish I had marked it in the bill. It basically says that the minister still has the power under the existing acts of the Legislature to decide to restructure a municipality, yea or nay.

That says to me that we're not giving the municipality the kinds of tools they want. In fact, at the end it will still be the minister who will decide, along with the Premier and cabinet, which municipalities have to restructure. Should a municipality decide to restructure on its own, it will again be up to the minister. It won't just be a rubber stamp that the minister will give. It will be his or her decision entirely. That is not the kind of tool I want to give municipalities. I believe, as a New Democrat, that it

is up to the local municipal people to decide if they want to amalgamate, if they want to create a single-tier or a two-tier municipality. It's entirely up to them.

There's nothing in this bill to prevent the province from restructuring a municipality by special legislation, although to have an absolute guarantee of non-intervention, one would have to change the constitution. I have to say that this bill is really a problem when it comes to those issues. The bills that created the new cities of Toronto, Hamilton, Sudbury and Ottawa and the counties of Haldimand and Norfolk are not superseded by this act. That means all those restructurings that happened in communities where they did not want them to happen, such as the Kawartha Lakes, basically are going to stay in place. I argue, "Hang on. If we're giving municipalities the tools to restructure, why then are we not giving them the types of tools they need?"

Par exemple, c'est important pour les communautés d'Ottawa, de Sudbury et autres de s'afficher bilingues pour s'assurer que ces communautés offrent aux citoyens de ces villes et cités l'habilité de donner des services en français. Moi, j'aurais espéré avoir une provision dans ce projet de loi qui regarde à traiter cette question d'une manière adéquate. Je ne vois rien dans ce projet de loi qui va donner aux municipalités dans ces régions l'habilité de changer ce qui est présentement en place. Je dis au gouvernement, si vous dites que vous voulez donner des outils aux municipalités, vous n'avez vraiment qu'à leur donner ces outils.

I look at another section of the bill that is really problematic: section 40. I didn't realize this until I had been reading this bill. Here's the problem. We've now had two days of second reading debate, both this week, and we were just given these bills this week to start reading them. The bill is almost 400 pages. I'm down to page 131, I'm not even halfway through it and this bill is probably going to get second reading passage before I get a chance to finish reading it.

There are already a number of sections of this bill that I've highlighted as having some severe problems. For example, we're saying in this bill that we're going to give municipalities the ability to affix tolls on roads across their municipal boundaries. Wow, that's pretty big stuff. Up to now municipalities have not been able to do that and I'm not so sure that's the kind of tool I want to give the municipality.

I'm prepared to listen to the debate. I'm prepared to go to committee and be told the reasons why this would be necessary. I could well imagine why municipalities would want to do that, but we are going to be allowing municipalities across the province to affix tolls on roads. Then whoever the new Premier is—it might be Mrs Cunningham who's the new Premier—will be able to hide behind the legislation and say, "Oh, the tolls in London were not the Mike Harris government's fault; it's the municipal council that put the toll on that road in our municipality." We'll know very well it's the province that allowed that to happen.

I want to read that specific section of the bill:

"Toll highways

"40. (1) Subject to sections 36 to 39, a municipality may,

"(a) designate a highway as a toll highway; and

"(b) operate and maintain the designated highway as a toll highway."

That also says to me that municipalities will be able to privatize certain roads, such as happened with Highway 407. Is that a policy we want to follow as the province? I'm not so sure.

"Restriction

"(2) Despite subsection (1) and section 35, a municipality does not have the power to designate, operate and maintain a highway as a toll highway until a regulation is made under this section that applies to the proposed toll highway."

Here's where it really gets interesting. I am clearly saying as a New Democrat that I do not support tolls on provincial highways, let alone municipal highways. The province is saying, "We're going to give the municipality tools to introduce tolls on municipal roads and, as I read it, highways in the municipality. Does that mean provincial highways? Good question. The province is saying, "We're giving you that power," but then when you read the weasel words under "Restriction," it sounds to me that the regulatory power to allow municipalities to do what the government purports may very well define to a great extent the ability of the municipality to move ahead with a toll road, which tells me it's doublespeak.

The government on the one hand is saying, "We're giving municipalities power"—one that in this case I don't support—but then when you read it, it's full of weasel words. It goes on to say:

"Regulations

"(3) The Lieutenant Governor in Council may make regulations providing for any matters which, in the opinion of the Lieutenant Governor in Council, are necessary or desirable for the purposes of this section, including,

"(a) requiring a municipality to obtain the approval of any person or body before designating, operating or maintaining a highway as a toll highway."

It goes on to list about two, four, six, eight exemptions around how this can't be done, the point being—I'm not going to read them all; I don't have enough time—that it's doublespeak. On the one hand you purport to give municipalities the tools, but you really don't respect the municipalities because you're really not giving them anything. You're saying, "I'm making it possible to create a toll highway," but you're really not allowing them to do it.

I would argue that toll highways shouldn't be in this bill, but I want to point out that there is a lot of doublespeak in this bill. If I were a municipal councillor in favour—and I would not be—of toll highways or toll municipal roads, I would say, "Oh, good. The province has given me the ability to make that a toll road." Then I would find out that in fact it's not in here. Municipalities are going to wake up to the realization that they're really not being given the powers, the point being that not only



is it doublespeak—how many other sections of this bill are the very same, where the government purports to give municipalities certain authority, but in fact the authority is not in the bill?

The more I read this bill, the more I'm beginning to think, "Whoa, we need some public hearings on this bill." I support giving municipalities the power to do a number of things. I would not support giving them the power to do toll highways or roads, but I believe there are a number of things they should be given exclusive control over. For example, it's important that municipalities in the end are the ones who should decide what the rules for restructuring the municipality will be. It's the local ratepayers who pay the bill; it's not the province of Ontario, by and large. Provincial downloading on to the municipalities has long ended the day when the province was a major player of primary importance when it came to providing a number of services in the community. Everything from public health to daycare services and transit has been either entirely or largely downloaded to the municipality, so the province really has less say than it used to by way of dollars. I believe that nobody should allow restructuring to happen. It should be the municipalities that decide that process and some kind of framework that we can devise in order to give them the authority to do that by way of legislation.

**2120**

I would argue that if a city or a town out there wants to amalgamate or wants to separate itself from whatever arrangement it has now, it should be up to local ratepayers to allow that to happen. I don't necessarily believe that bigger municipalities make for more financially responsible municipalities or give you the savings.

I'll just give you an example. Speaker, you represent a riding, not from northern Ontario but one that's not dissimilar to mine, and I know my good friend Bert Johnson represents a lot of small communities in his riding. You know what makes municipalities work when they're smaller is the volunteerism. For example, if I look at the communities of Fauquier, Opasatika, Val Rita, Moonbeam, Mattice, Jogues, Hallebourg—there are many—those smaller municipalities by and large don't have a large tax rate. The amount of tax that the individual resident pays for his or her house is less than what I pay in the city of Timmins, which is the largest municipality in my riding.

Mind you, they get fewer services. That's a choice the ratepayers have made by way of their council. They're saying, "We don't want to pay higher taxes to get services that quite frankly we don't think we should be receiving." So that's a bit of an offset. They pay lower taxes and they get lesser services than a bigger community. On the other hand, they keep themselves more effective and less expensive to operate because of volunteerism.

I look at Fauquier as a good example. Fauquier has four or five employees, if that, who work for the municipality. It's a community of around 900 people. Basically, everything is run by way of volunteers. The

municipal councillors are certainly not getting a lot for what they're doing and neither is the mayor. But when it comes to services in the community, many of the services are provided by volunteers. If we go by way of amalgamation into larger municipalities, that volunteer basis is eroded, because all of a sudden the volunteers in the small community will say, "Well, that's Kapuskasing that's doing that now. Why should I do it?" I'm saying if amalgamation between Kap and Fauquier were to happen—I don't believe it will—that's sort of the effect. So there is not a saving for making a city bigger.

I say that in this bill we've done nothing to deal with that whole issue of amalgamation. So I say to the government that we certainly have to make sure we look at that a little bit better.

The other thing is that much of what's going to be in this bill is by way of two measures. One is the regulatory authorities that will be given under this bill. We haven't seen those yet and when we ask, again, it's a pig in a poke: you vote for this bill because you agree on the direction. We're going to find out by way of the regulations that the bill in fact is not going to do what we think it's going to do.

The second thing is that the bill is going to be accompanied by a memorandum of understanding committing the government to consultation with the municipal sector on matters affecting municipalities. This hasn't even been negotiated yet, and we're being asked to pass this bill. At the very least, I want to see that memorandum. I want to know that it's been signed by the municipalities, and I want to see that memorandum so I'll know there is municipal support prior to even voting for this bill. But again that has not been done. So I say to the government that this is a really dangerous precedent we're setting by way of supposedly giving municipalities powers that I think they're not going to have in the end.

We get into the whole idea, not a bad one—the municipalities are given what they're calling spheres of jurisdiction. So we're saying in this bill that highways, including parks and traffic on highways, will become municipally controlled; transportation systems and other highways will become municipally controlled. I guess this is in response to the municipal downloading of roads. I thought that was wrong. I still think it's wrong. I think we should upload a number of those provincial highways that are now municipal roads back onto the province. Why do we want to leave it there?

I'll give you a good example. Highway 11, the TransCanada Highway that runs through Kapuskasing, has now been called a municipal road. What hogwash. It's the TransCanada Highway. Does a trucker or a travelling motorist have the ability to say, "Oh, I'm going to bypass Kapuskasing because I don't want to ride on that municipal road"? It's ludicrous. That is a road that, as a provincial infrastructure, should be maintained by the province when it comes to winter road maintenance and also should be maintained when it comes to resurfacing.

Now what's happening, because it is a municipal road and we don't have the kind of money we'd like at the

municipal level, is that the standards of maintaining those roads and expanding them the way they should be for traffic control are certainly not being done the way the province used to do it.

So I say, what have we really done here? We're enshrining downloading in the legislation. We're saying that waste management will come under the sphere's jurisdiction. What does that really mean? Are we saying we're going to allow municipalities to decide some of the issues around very sensitive environmental issues such as, should Keele get yet another lift on its major dump? There are certain things that I think need to remain under provincial control.

Yes, you need to make the process of approving a landfill site easier. I certainly know that because I went

through the process with the town of Iroquois Falls when I was a member of that riding, which dealt for a number of years with trying to get a lift on its dump approved. Nobody is going to argue that we should abrogate our responsibility as provincial legislators when it comes to provincial standards on the environment.

There are a number of issues in this bill that basically leave a lot of questions yet unanswered. I would argue strongly that members of this Legislature should be given the opportunity to debate this bill at second reading and have committee hearings this fall so we can properly look at its contents.

**The Acting Speaker:** It being almost 9:30, this House stands adjourned until 1:30 o'clock tomorrow.

*The House adjourned at 2127.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Flamborough-Aldershot		Hamilton Mountain	Bountrogianni, Marie (L)
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Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Transportation / ministre des Transports
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		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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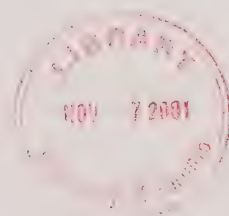
Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 31 October 2001

Mercredi 31 octobre 2001



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 31 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 31 octobre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ACCESS TO PROFESSIONS AND TRADES

**Mr Tony Ruprecht (Davenport):** Did you know that 40% of the people of the greater Toronto area are foreign-born? Did you know that over 52% of the residents of the city of Toronto were not born in Toronto? This is the largest concentration of foreign-born Canadians found anywhere in the country. In fact it's the largest concentration anywhere in the world. That, of course, means that we in Toronto are very proud of this diversity.

On October 16, I had invited some of our residents to celebrate this diversity. I would have expected that only a few would come, but instead close to 1,000 came to the Legislature. Why? Did they come to see me? No, they didn't come to see me. They came to see a government in action. They came to see a government free of fear. They came to see a government of democracy.

But above all else, they came to ensure that they are treated with fairness and respect. That would mean that fairness and respect equals equal opportunity. When we're thinking about access to trades and professions, we know the door is shut. We're asking this government today to open the doors to those who are foreign-trained so they can get a job and work in Canada.

#### HALLOWEEN

**Mr Doug Galt (Northumberland):** There are few things in this world that are scary. All Hallows Eve is one of them. The pumpkins downstairs in the foyer are another. Bert Johnson wearing a wig and carving pumpkins in Nathan Phillips Square is truly scary.

But the scariest things at Queen's Park are the ghosts of politicians past. They stare down at us from their gilded frames. Their eyes follow us late at night. Some of them have terrible frowns, like the portrait of Thomas Kennedy outside the Premier's office. Do they know too much?

To those members unfortunate enough to have House duty tonight, surrounded by empty offices, lonely staircases and haunted corridors, I have a warning, a premon-

ition: something strange is going to happen on this night. I can feel it.

So let me forewarn you. If you're on call tonight and find yourself alone, keep your eyes peeled for the ghosts of Queen's Park. They come to light on this devilish night. Perhaps you will see a soldier in full regimental dress or a former inmate of the insane asylum that stood on this site or the ghost of a long-dead Premier from a bygone era. Any one of them might pay you a visit. No one knows why they are here or what they want, but don't say you haven't been warned. Thank you, Mr Speaker, and I'll see you tomorrow if, of course, you survive the night.

#### NORTHERN MEDICAL SCHOOL

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** People across northwestern Ontario were dismayed last week when the Premier and the Minister of Health announced an implementation team for the new northern medical school. Part of the concern is that there are three representatives from the northeast on this committee and only one from the northwest. Clearly the government is still looking at a medical school based in Sudbury rather than the two-campus model that communities across the north had called for.

Clearly too, the government has not understood why the proposal to base the school in Sudbury and provide only a two-year clinical program in Thunder Bay just can't work. It can't work because it won't bring new doctors to Thunder Bay as teachers, and without these new doctors it will be impossible to provide those two years of clinical training. Thunder Bay doctors have been pioneers in developing the northern medical clinical program and the family practice residency program, but the overworked Thunder Bay physicians simply can't take on any more clinical students. The two-year program will never get off the ground.

We do need to train more doctors in the north—in the northeast and in the northwest. The northwest has a chronic doctor shortage. It existed long before there was a shortage across the province and will exist long after the provincial shortage problem has been solved, unless we can provide more training to doctors in our communities so they will stay and practise in our communities.

This isn't about who gets what, and it shouldn't be about partisan politics. This is about making sure that people in every part of the province have an equal chance to get health care in their home communities. In north-



western Ontario, if you can't get to see a doctor at home, you have a long way to go to get care.

This is an urgent, desperate situation. Anyone who truly understands it will also understand why the new medical school with equal campuses in Thunder Bay and Sudbury is an essential part of the solution.

#### BUSINESS EXCELLENCE AWARDS GALA

**Ms Marilyn Mushinski (Scarborough Centre):**

Wow, fantastic, wonderful, spectacular: these were all the wonderful words and more that described the Business Excellence Awards gala hosted by the Scarborough Chamber of Commerce on Thursday, October 25. The evening was a huge success full of entertainment, special features, awards and a lot of glitter. The black-tie event had a huge turnout with everyone leaving with a smile and praise for a night well planned.

Several people were honoured throughout the night. Highlighting their efforts and contribution to the event, the Mirror and the Guardian newspapers and Toronto Business Times received a plaque for their long-standing support for the Business Excellence Awards. Centennial College was recognized for their involvement in producing many of the videos, and of course the winners and nominees. Winners included Cyril Woods, a truly inspirational winner; Golden Valley's Food Outlet Inc; BK Sethi Marketing Ltd; USE Hickson Products Ltd; and Delta Toronto East.

Back in the early 1990s, people told Mike Harris what to focus on: tax cuts and smaller government. We listened to them—the wealth creators, the entrepreneurs, the risk takers—and what did they say? "Cut taxes and eliminate job-killing red tape."

Congratulations to the Scarborough Chamber of Commerce for such a wonderful event.

#### SOCIAL SERVICES

**Mr Pat Hoy (Chatham-Kent Essex):** The Harris government has starved funding, in my community and across Ontario, for vital services to Ontario's most vulnerable citizens: the sick, elderly, disabled, developmentally challenged, and the vulnerable children in our foster homes. For months we have pleaded with the government to increase funding for home care, children's aid societies and residential services such as those available at the Southwestern Regional Centre.

This government must adequately fund community care access centres. Their role in maintaining health and preventing illness makes home care services an essential part of a cost-effective health system. This government's cuts are putting our most vulnerable citizens at risk.

Last Friday I went on a guided tour with members of the Chatham and District Association for Community Living. In a wheelchair, I experienced first hand some of the challenges faced by 1.5 million disabled Ontario residents, things we take for granted but which limit the

disabled from full access to their community. Ontario must have a strong Ontarians with Disabilities Act and the funding necessary to eliminate the barriers faced by our disabled community.

I also attended a rally Friday demanding increased funding for children's aid societies. They protect Ontario's vulnerable children. CAS workers are stretched to the limit. This government must do the right thing and provide the funding needed to protect Ontario's most vulnerable citizens.

1340

#### BEAR CONTROL

**Mr Gilles Bisson (Timmins-James Bay):** The black bear story continues in northern Ontario. Ever since the provincial government decided to download that service on to municipalities, municipalities across the north—as other members for northern Ontario know—have been inundated by nuisance bears coming into municipalities, much to their chagrin, and with the safety issue it poses to the residents and communities across northern Ontario.

We learned last night by way of a report on MCTV prepared in Timmins that there is a duplicitous policy on the part of the provincial government in how it treats municipalities when it comes to funding the removal of nuisance bears in municipalities across the north. I know that in the city of Timmins, our council paid some \$80,000 in order to remove bears from the municipality, something that used to be paid by the MNR. I now find out through MCTV that there is a duplicitous policy, because in the city of Sudbury the MNR has engaged in a partnership with a post-secondary school whereby the students remove the bears, with no cost to the municipality.

I say good for the city of Sudbury; I don't believe the city of Sudbury should have to pay. But I ask the Minister of Natural Resources to look into this issue and, if it is so, to redress it so that municipalities across the north are treated equally and we don't have a duplicitous policy by a duplicitous minister who says the municipality of Sudbury gets treated differently than everybody else across the province. What's good for Sudbury is good for everybody else. We think that's good for Sudbury, so do it for us as well.

#### MAY DODDS

**Mr Bert Johnson (Perth-Middlesex):** Since September 11, our society has been reminded of the number of real-life heroes who live among us and how rarely we take time to thank them. I rise today to honour and thank a local hero from Stratford in my riding of Perth-Middlesex.

May Dodds has given more than 60 years of service to the Canadian Red Cross society and, in recognition of that, has been given the highest award in that organization, the Order of the Red Cross. May, now 84 years of age, has been involved with the local Red Cross since

1938. Over those many years, May has worked on fund-raising, public education initiatives and administration. While none of those activities are dramatic enough to grab international headlines, those heroes we see delivering food to Afghan refugees and consoling families of victims of terrorist acts in the United States wouldn't be there without the behind-the-scenes support of people like May.

May spent 28 years, from 1960 to 1988, as a volunteer administrator of the Stratford-Perth branch of the Red Cross. Later, May was instrumental in the effort to build a new branch office, constructed in 1994. Many people in my riding, around Canada, and undoubtedly around the world owe thanks to May and others like her. I want to offer my appreciation, as well as that of all members of this House, to May on the occasion of her award.

### PROGRESSIVE CONSERVATIVE LEADERSHIP

**Mr Dwight Duncan (Windsor-St Clair):** Today is Halloween, but the Tory leadership candidates appeared to be trying out their costumes last weekend in London.

Was that Elizabeth Witmer we saw dressed as the wolf in sheep's clothing? It certainly suits her, trying to be a moderate after what she's done to health and labour.

Was that Janet Ecker dressed as a chameleon, trying to be a red Tory again, switching her colours back and forth? That's not going to fly in light of her position on charter schools.

Was that Tony Clement dressed as the Grim Reaper, the one who wants to kill public health care in this country?

And was that Ernie Eves dressed as the Invisible Man, with Bob Runciman desperately trying to bring him out into the light? Bob, we've got news for you: even Ernie can't save your party now.

That Dracula costume Jim Flaherty had on was really something. He sank his teeth into squeegee kids, he sank his fangs into private school tax credits, but how far can he get with the Minister of Education trying to put the stake through his heart? We ask you that.

Chris Hodgson, that Frankenstein costume was great but, Minister, it's going to take a lot more than a couple of bolts of lightning to reanimate your campaign after what the Premier did to you last winter.

And of course the Minister of Labour dressed as the court jester: a quick wit, a good sense of humour, but after what he's done to the king in the past, the comments about anybody being able to become Premier, how much life does he have?

The sad thing is, when you take away the masks, they all look like Mike Harris, and that's really scary.

### ST JOSEPH'S FRENCH IMMERSION CENTRE

**Mr John O'Toole (Durham):** That's going to be hard to follow.

I rise today to draw to the attention of the House a visit I received from two distinguished guests from Bowmanville. My guests stopped at my office here at Queen's Park during the last week of September and went on to meet with the Premier.

I should add that Curly and Chestnut are two teddy bears that will travel the world as part of an innovative project that a grade 5 class in Bowmanville launched last year. Donna Paquette's class at St Joseph's French Immersion Centre is sending two teddy bears around the world via mail. This is a project that will help them study languages, geography, math and cultures.

The bears have an itinerary that includes British Columbia, Hawaii, Texas, Switzerland and Mexico. The idea is that the students will track the bears' progress and receive information and mementos of the trip. Each bear also carries a passport that will be signed and stamped by the people they meet.

Before embarking on their journey, Curly and Chestnut spent some time with local politicians, including His Worship the mayor of Clarington, John Mutton, before visiting with me and Premier Harris. In fact, the bears were so impressed with their visit to Queen's Park that they are considering running for office at some time in the future, but certainly not in Durham riding.

In all seriousness, I would like to commend principal Liz Ferguson and the grade 5 students at St Joseph's French Immersion Centre for travelling with the teddy bears. This is a very creative learning opportunity for Mrs Paquette's class. Best of all, it looks like a lot of fun for the students. On behalf of Ontario, I want each of the students to know that we wish Curly and Chestnut bon voyage.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr Rosario Marchese (Trinity-Spadina):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill, as amended:

Bill Pr10, An Act to revive 237661 Builders Limited.

Your committee begs to report the following bill without amendment:

Bill Pr23, An Act to revive 1205458 Ontario Ltd.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The report is therefore adopted.



## VISITORS

**Mr Mario Sergio (York West):** Mr Speaker, on a point of order: I would like to introduce to the House a number of students from my wonderful region of Calabria who are on an exchange visit here and I would like to acknowledge them in the members' gallery.

**The Speaker (Hon Gary Carr):** We welcome our honoured guests.

## INTRODUCTION OF BILLS

CELEBRATION OF PORTUGUESE  
HERITAGE ACT, 2001LOI DE 2001 SUR LA FÊTE  
DU PATRIMOINE PORTUGAIS

Mr DeFaria moved first reading of the following bill:

Bill 120, An Act to proclaim a day and a month to celebrate Portuguese heritage in Ontario / Projet de loi 120, Loi proclamant un jour et un mois de fête du patrimoine portugais en Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr Carl DeFaria (Mississauga East):** The month of June, and in particular June 10, has been celebrated as Portugal Day in Ontario and Canada. The Portuguese community is a vibrant community in Ontario and continues to make contributions, with its rich history, language, culture and work ethic, to our fabric.

The month of June has always been a great time of celebration in the Portuguese community. I hope all members of the House will support this bill, the Celebration of Portuguese Heritage Act.

## VISITORS

**Hon David Turnbull (Solicitor General):** I'd like to recognize the presence in the gallery of Chief Glenn Stannard, the president of the Ontario Association of Chiefs of Police; along with Chief Tom Kaye of Owen Sound; Bill Malpass, executive director of OACP; and Adrian Gordon of the Canadian Centre for Emergency Preparedness. Welcome.

1350

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## COUNTERTERRORISM MEASURES

**Hon David Turnbull (Solicitor General):** Premier Harris rose in the House yesterday and outlined some of the government's counterterrorism and emergency man-

agement initiatives. Today, I'm pleased to announce further steps the province is taking to ensure that Ontario is better protected from terrorism. In total, these initiatives to ensure the safety and security of Ontario will amount to more than \$20 million.

I want to remind the Legislature of the commitments made by the Premier. The Ontario Provincial Police will receive \$4.5 million annually to establish a special provincial emergency response team. This unit will be composed of 32 highly trained and specially equipped OPP officers. As well, a new anti-terrorism unit with 24 officers will work in partnership with municipal police services and federal law enforcement agencies. This unit will receive \$3.5 million a year and conduct multi-jurisdictional intelligence operations that target individuals and organized groups involved in terrorism.

We are also providing \$1 million to make sure our front-line emergency workers have the necessary equipment to respond to chemical, biological and other kinds of attack.

Finally, the Premier announced that the Ministry of the Solicitor General will host a counterterrorism summit to discuss the best ways to combat terrorism.

Now I'd like to outline the further measures our government is taking to ensure Ontario remains one of the safest places in the world.

Our security advisers tell us that 90% of counterterrorism is intelligence. Working closely with law enforcement agencies across the country and around the world, it is critical to identify potential security threats. Today I am announcing that the province is investing \$2.5 million in the Criminal Intelligence Service Ontario, CISO. This agency has been a key part of the province's efforts to target organized crime. With this additional funding, we're enhancing its capacity to conduct counterterrorism intelligence and enforcement activities. Under this expanded mandate, CISO will work closely with other law enforcement agencies and with the anti-terrorist unit announced by the Premier yesterday.

In recent weeks, our government has said it will take steps to help federal law enforcement officials track down individuals who are illegally in the province. Today we are fulfilling that commitment. We will invest \$1 million annually to expand the mandate of the repeat offender parole enforcement, or ROPE, squad. The squad will now include a fugitive apprehension team. This new eight-member team will provide targeted enforcement acting on Immigration Act warrants.

In the wake of the September 11 attack, there have been a number of unacceptable incidents where threats and acts of violence have been directed at Ontario's Muslim population. Let me make this perfectly clear: the Ontario government and the police who patrol our streets will not tolerate these acts. Criminal behaviour such as this will be investigated thoroughly and prosecuted to the full extent of the law. To enhance our capacity to target hate crimes, we will provide additional officers and an additional \$400,000 to the OPP's hate crimes squad.

We will continue to enhance our emergency management system to ensure Ontario is prepared to handle a potential terrorist attack. To achieve this, our government will invest more than \$7 million annually to ensure Ontario is prepared for emergencies and to assist municipalities with emergency planning and training. This increased funding will assist ongoing efforts to coordinate our existing emergency management measures.

Our government will double Emergency Measures Ontario's budget, with a \$3-million increase in annual funding. An important element of our plan will be 28 new staff who will work on Ontario's preparedness, supporting municipalities with emergency planning and training.

My ministry is currently drafting legislation which, if passed by the Legislature, would require Ontario municipalities to have emergency programs in place, including plans and training exercises, as well as public education initiatives. This investment will also enable Emergency Measures Ontario to purchase a new mobile provincial operations centre. A mobile unit will not only provide a backup system to the provincial operations centre, but also could be deployed during a localized emergency.

We will also assist municipalities by providing enhanced specialized training for front-line emergency workers. These emergency workers are the people who put their lives on the line every time they respond to a call. By investing in specialized training, we will help ensure that first responders can manage large-scale, complex emergencies, threats and hazards. To accomplish this, the province will invest \$1 million a year on heavy, urban search-and-rescue training, training on how to respond to chemical, biological, radiological and nuclear emergencies, and training on how to deal with hazardous materials.

Today we are also committing \$600,000 to enhance Ontario's capability to test explosives, to test toxic or chemical agents, and to conduct larger-scale testing of DNA. We will do this by developing more specialized forensic capacity at the province's internationally recognized Centre of Forensic Sciences.

We all know the important role volunteers play in communities across Ontario. When tragedies strike and our communities face adversity, we frequently turn to our neighbours for assistance, but this is still a relatively untapped resource when it comes to emergency preparedness in Ontario. That's why we will invest \$1 million to assist municipalities that choose to participate in a community emergency volunteer program. Similar initiatives are currently running in other jurisdictions. For example, in British Columbia, about 13,000 volunteers offer their time and expertise. Under this program, Ontarians will be invited to volunteer to assist in preparing for and responding to emergency situations. The province will be there to help train volunteers. We will provide them with the skills to assist their neighbours in times of need.

We've all been told of the life-saving value of building evacuation plans when it comes to safety. The need

for these plans was driven home by the attack on the World Trade Center. Today I'm announcing \$600,000 to assist the Ontario fire marshal's office as it works with the owners and operators of large buildings and public places. In partnership with the private sector, we will be preparing best-practices guidelines for emergency evacuation procedures of these facilities.

In closing, let me say that we must be vigilant, but we must continue to live our lives and to do our work. Terrorists seek to destroy, and they also seek to spread fear. We cannot and we will not allow this to happen. Today's announcements, combined with the initiatives the Premier announced yesterday, will improve the province's counterterrorism capability and emergency preparedness. They will ensure that Ontario is better protected from those who seek to harm us and our families. With the ongoing advice of our security advisers, former RCMP Commissioner Norman Inkster and retired Major Major General Lewis MacKenzie, we will continue to seek out ways to further strengthen Ontario's security and we will continue to work with other levels of government and other jurisdictions to protect our citizens.

1400

#### CROSS-BORDER TRADE AND SECURITY

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** Yesterday, the Premier and Ministers Young and Hudak provided a report back to the Legislature on action this government has taken since the tragic events of September 11. Today, I will continue that report back on steps we are taking to safeguard our province's economy in light of increasing US concerns about the safety of the US-Canada border.

I believe there is an increased understanding of the importance of our trading relationship with the United States and a growing awareness of the threat posed to our economy if our American friends do not have confidence in Canada's ability to protect our border from undesirable.

Once more, for the record, I will outline the significance of our trading relationship with the United States, the largest such relationship in the world: 93% of our exports; 1.5 million jobs; \$210 billion in US export business, representing 48% of Ontario's economy. Access to this market is critical to the future economic success of our great province.

Improved traffic flow across international border crossings was an issue recognized and addressed by the Harris government well before September 11. The New York-Ontario summit held in June of this year considered this issue at length, and the report from that gathering will be released in November.

September 11, however, cast US-Canada border crossings in a different light. We were no longer focusing solely on issues like infrastructure and pre-clearance. Instead, those issues, those concerns, those priorities fell to the sidelines. The American people and their govern-



ments shifted their focus, understandably, to security: the security of their people, their institutions, their way of life and their borders.

Our leader, Mike Harris, recognized immediately the new reality that flowed from the horrific events of September 11, and along with US Ambassador Paul Cellucci called for a North American security perimeter in order to protect Canadian access to the US market. Our Premier, Mike Harris, and Ambassador Cellucci have since been joined by Premiers across Canada, business leaders and everyday Canadians in the call for this critical security measure. Regrettably, to date, our federal government has been reticent in embracing this proposal.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Would the minister take his seat. Sorry, Minister.

**Hon Mr Runciman:** Once again, regrettably, to date, our federal government has been reticent in embracing this proposal, and the public explanation for that reticence is the supposed or perceived loss of sovereignty that such an initiative would bring.

This is not a concern our government shares. The reality is that sovereignty without security is meaningless.

Our government is not prepared to adopt a wait-and-see approach, a head-in-the-sand hope that with time all will be well. We are moving, and moving on a range of fronts.

On October 16, Premier Harris and I met with New York Governor George Pataki and his officials to discuss transborder issues, and we agreed to adopt a joint report which we will share with our respective federal governments.

We have requested a meeting with Great Lakes governors to discuss ways of dealing with our respective and shared economic concerns. We've kept in regular touch with key Ontario stakeholders to monitor significant economic and security issues. We have listened to and addressed stakeholder issues, concerns and suggestions. I have written federal ministers Manley, Tobin and Pettigrew, underscoring in the strongest possible terms the need for action.

**The Speaker:** It's too noisy. Member, come to order. The member for Windsor-St Clair, please come to order.

I've said this on a couple of occasions. The opposition wonders why the statements aren't made in the House. I've asked and made inquiries of the government and they say, "When we do, all that happens is the opposition yells at us." It's little wonder that statements don't happen in this House when all you do is shout and yell. You'll have an opportunity for a five-minute reply in which the media can have your leader making a reply, or you can stand and shout. Quite frankly, that's why a lot of the statements don't get made in this House, because the opposition just stand and yell constantly at the other side. I've said this before. There is going to be some heckling, but when you yell constantly it's little wonder the government doesn't make statements in this House.

Sorry, Minister.

**Hon Mr Runciman:** Thank you, Mr Speaker. This Friday, November 2, Premier Harris and I will host an industry leaders round table. Invited participants include CEOs of leading Ontario industries, businesses dependent on cross-border commerce. Our purpose is to discuss how best to approach the wide range of economic cross-border trade and security issues that must be addressed.

This forum will help us develop an action plan to guide future decision-making, decisions that will ensure Ontario's cross-border trade and commerce remain vital and competitive.

Business leaders will also discuss how they are dealing with unprecedented impacts on their organizations. We will look to them to help us determine how business and government can work together to develop a concrete set of actions, and those suggestions will be captured in a round table report.

I used the term "action plan" because that's just what the product of the round table will be. We cannot afford to be inactive. We cannot afford to be complacent. We cannot put in jeopardy our access to American markets and the jobs and investment decisions that are clearly linked to that access.

I want to assure members of the assembly and the people of Ontario that our government has been, and will continue to be, in the forefront of activities that will ensure that trade between Canada and the United States, and Ontario's economy, do not become victims of the terrorist attacks of September 11.

1410

## COUNTERTERRORISM MEASURES

**Mr Dave Levac (Brant):** I appreciate the opportunity to speak to the Solicitor General on behalf of my caucus and my leader, Dalton McGuinty. I want to make it very clear from the outset that we welcome the announcement about funding for emergency measures and emergency responses. We absolutely do. We think it's an appropriate thing to do. But it's unfortunate that it's 48 days after September 11 and you've finally decided to take actions you could have taken before.

To the Solicitor General, I want to say that perhaps this was an indication the minister has finally reread the report that's been on his desk since June, from his already-hired six security experts. It's amazing to think that he's had a report on his desk since June that deals specifically with emergency response. Or perhaps this is an acknowledgement that the minister has finally read the 1998 report from Queen's University, which stated the following: "EMO was not prepared to handle such a large-scale emergency," particularly in cases where people lose their lives.

So after four years and two reports, we're now finally getting action from this minister. Funding for the special unit dealing with terrorism is a good step. I wait to see if this actually means new police officers or a shuffling of other officers already on the beat.

Dalton McGuinty's plan, the Ontario security plan, would put \$100 million into the coffers now. You're taking a lot of credit for \$20 million in spending. That's \$20 million in spending for our security versus \$100 million for our security. I think the leader's plan puts that one to shame. Why? Because it deals with \$50 million worth of funding from the provincial level, which is already over your \$20 million, but more importantly it puts \$50 million in municipal people's hands to decide how they want to secure their communities.

Just yesterday, from a press release, we find out there are municipalities across the province that are having difficulty keeping the proper number of firefighters in service since September 11. You know as well as I do that it was firefighters who were the first on the scene, and the largest number of people to lose their lives in the profession were firefighters. Guess what? The word "firefighter" was never mentioned once in this report. Shame on the government for not addressing the specifics about what you're going to do for our firefighters across Ontario.

I want to say to you, Minister: it's time to put up or shut up.

#### CROSS-BORDER TRADE AND SECURITY

**Mr Monte Kwinter (York Centre):** I want to respond to the minister's statement. In it he says the whole report back is "to safeguard our province's economy," and then goes on to talk about anything but the economy. When we take a look at what is happening and you talk about the concerns of safety, surely your role is to co-operate with the federal officials in Canada and the federal officials in the United States. It is not your role to usurp their responsibility. The free flow of goods and services with our major customer is what you should be concerned with.

You say this is "critical to the future economic success of our great province." What I suggest is that continued economic success is important, not just the future. You've got to look after what's happening today.

You had a conference with the New York-Ontario summit. It was held in June of this year to look into these exact same issues. The report is coming out in November, six months after it was initiated. Not only that, but by the time you start responding to that report—

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** Look at what happened in New York City. That's totally unfair.

**Mr Kwinter:** You said it. You said it in your report.  
*Interjection.*

**The Speaker (Hon Gary Carr):** Order. The member take his seat. Stop the clock. You'll have some time.

*Interjection.*

**The Speaker:** Order. Minister, come to order, please.  
*Interjections.*

**The Speaker:** Last time. Order. This is the last warning. We'll start throwing people out, starting right now.

Sorry for the interruption. You have 32 seconds left.

**Mr Kwinter:** He says infrastructure and pre-clearance have fallen by the wayside. I don't believe that should fall to the sidelines or by the wayside. This is something we have to be concerned with. Auto plants are shutting down production because they can't get parts. There's trouble at the border. We have a road, the Huron Church Road, going into Detroit from Windsor. You had lots of time to do that.

The last thing I want to talk about is the sovereignty issue. These are not mutually exclusive issues. You can protect our sovereignty and protect our security. One is not dependent on the other, and you can't give up one for the other.

**Mr Howard Hampton (Kenora-Rainy River):** I find the comments today of the minister responsible for trade to be really quite incredible. What it amounts to is this: he is essentially saying that we should adopt American standards. He's essentially saying we should turn over the independence of decision-making and the independence of standards to the United States. I say to the minister, think carefully about what you're saying.

The United States does not have, in any of these matters, exactly a leading-edge strategy. Their strategy along the Mexican border for 20 years has been incredibly expensive in terms of resources and money and has been a dismal failure. The United States, in terms of its border with Canada, has for many years had much looser enforcement than Canada Customs has. I know it. I live on the border; you live on the border. I know about people trying to access Canada carrying a rifle or a shotgun. And customs officers cannot for the life of them figure out how this person, who's in fact a fleeing felon, was ever able to carry a firearm. But that goes on routinely in the United States.

I ask the minister to think this through carefully. The reality in the United States is that this agenda—for us to adopt their customs rules, their immigration rules, their forestry practices, their system of privatized health care—existed before September 11. It is a long-standing position of the United States on trade policy. Don't use the horrific events of September 11 as an excuse to start folding on all of those issues, because I can tell you that at the end of the day—and this too is part of American policy—after we've adopted their processes for immigration, their processes for customs and many other processes, they will still reserve the right to say no, just as they've done with softwood lumber—and you know it. We have been before softwood lumber panels for 20 years, and every time we've proven that the American position is wrong, yet they still come back and harass us outside of the rules of the NAFTA agreement, outside of the rules of the free trade agreement.

Don't give in to an agenda which was there before September 11. It is not an agenda that is good for the people of Ontario, and it is not an agenda that will stand up to any test of analysis. Stand up for Ontario. Don't adopt a 51st state agenda.



## COUNTERTERRORISM MEASURES

## ORAL QUESTIONS

**Mr Peter Kormos (Niagara Centre):** I respond to the statement made by the Solicitor General. Look, everyone understands the need this government has, political and otherwise, to respond to the crisis, the tragedy of September 11, but I want the Solicitor General and his government to understand that the crisis in our front-line emergency services didn't begin on September 11.

The fact is, there are fewer cops per capita today than there were in 1995. Reality is that firefighting services across this province, municipality after municipality, find themselves understaffed and underresourced. Reality is that paramedics, those brave women and men on the front lines along with police officers, along with firefighters, find themselves condemned and, quite frankly, abused by this government that treats them with disdain.

I say to you, Solicitor General, that the crisis is one of chronic downloading on to municipalities across this province and a denial of the real resources that those municipalities need to maintain adequate staffing levels when it comes to policing for, yes, those day-to-day policing responsibilities, because at the end of the day it's those police forces that are going to be called upon. There may well be a crack team of OPP officers, but a crisis by its very nature is going to be something that is imminent and critical and cannot accommodate the travel of your crack OPP team to whatever municipality finds itself confronting that crisis.

I ask this Solicitor General to reflect on the abandonment by this government of native policing services across northern Ontario. I've visited communities like Fort Albany, Peawanuk and Attawapiskat with the member from Timmins-James Bay, Gilles Bisson. I saw those native policing services abandoned by this government, oftentimes one-person police services, boats without motors, snowmobiles without tracks. There is a crisis. That crisis pre-existed September 11 with native policing services and indeed it dates back to 1995.

This government should be addressing the chronic crisis in underfunding and underresourcing of front-line emergency services across this province.

1420

DON FORESTELL

**The Speaker (Hon Gary Carr):** Just before we begin with question period, I want to draw to the members' attention the presence of a special guest seated at the table. Please join me in welcoming Don Forestell, the Clerk Assistant of the New Brunswick Legislative Assembly, who is here for two weeks on an attachment in the Clerk's office.

EMERGENCY PREPAREDNESS  
LEGISLATION

**Mr Dalton McGuinty (Leader of the Opposition):** My first question of the day is for the Solicitor General, who I understand was here just a moment ago.

**The Speaker (Hon Gary Carr):** Stop the clock, please. Maybe we can just start it all over. He's visiting with some of the guests.

The leader of the official opposition.

**Mr McGuinty:** Minister, it has been some 49 days since September 11, and I think we could describe your government's response as, at best, lethargic and uninspired.

*Interjections.*

**Mr McGuinty:** I understand that there is some sensitivity on this aspect.

**The Speaker:** The member from London-Fanshawe, come to order. This is his last warning, last warning for the member from London-Fanshawe. We're not going to start off like that with the first question.

Leader of the official opposition. Sorry for the interruption.

**Mr McGuinty:** I can understand why there is some sensitivity on the part of government members, because if you look at the record, what have we had? We've had a full-page newspaper ad, corporate tax cuts, some very skimpy support offered to our police, and the usual expressions of concern and condemnation of all things related to terrorism.

I can tell you, Minister, that I have had the opportunity to visit ground zero and I have personally witnessed the destruction. I have talked to New Yorkers and I have talked to many people who are expert in the matters of emergency preparedness. One of the things they keep driving home is that one of the most important things we have to do is have in place, in all of our cities and towns, an emergency preparedness plan. Why is it that 49 days after September 11, you have yet to introduce in this House a bill that will require all of our cities and towns to have in place an emergency preparedness plan?

**Hon David Turnbull (Solicitor General):** In a general sense, I have to say that I am very sad that the Liberals in this province try to make a political football out of something as serious as this. Our government has worked co-operatively with the federal government and with municipalities—

*Interjections.*

**The Speaker:** Order. Solicitor General, take your seat. The member for Ottawa, this is his last warning as well. We'll start taking names.

*Interjection.*

**The Speaker:** Order. Don't be smart-alecky like that or I'll throw you out right now. Is that what you want? Because you're not going to yell at me like that. You can yell at the other side, but you're not going to yell at me.

You want out? I'll send you out right now, if that's what you want. It doesn't matter to me.

Sorry, Solicitor General.

**Hon Mr Turnbull:** We have worked very carefully with both the federal and municipal levels of government in developing plans. We appointed two advisers who have great expertise, Major General Lew MacKenzie and Norman Inkster. As we've worked through our plans, in co-operation with the commissioner of the OPP and in conference with emergency preparedness people from all across the province, there has been one common strain: what are the important things we must do to make sure that Ontario remains one of the safest places in the world?

With the announcements that both the Premier and I have made to date, we are making major steps forward. But we are not trying to make it into a political football.

**Mr McGuinty:** I say again, Minister: lethargic and uninspired. One of the most important things I have learned that you must do is make every effort to coordinate activities and efforts when it comes to emergency preparedness. You have to keep people informed. You have to be working together.

That's why we were all so very surprised by Toronto police chief Julian Fantino's comments when he said, "I don't know what's planned for the city of Toronto. It would be nice for us to hear. As for being police chief of the largest city force in Canada, I'm certainly not in the loop."

Minister, our American neighbours are on red alert, and our own advisers have said that we have to get ready for an emergency. How is it that 49 days later, the chief of police for the largest city in the country, arguably the city which would be the most susceptible to an attack by terrorists, is telling us he's not in the loop?

**Hon Mr Turnbull:** Since we became the government of Ontario, we have made safety and protection of our citizens the top priority. The amendments to the Emergency Plans Act that I have announced are important. We will make sure that municipalities have emergency plans and that indeed training and public initiatives are undertaken. In the announcements I have made today—

**Mr Mike Colle (Eglinton-Lawrence):** What about Chief Fantino?

**The Speaker:** Minister, take a seat. Member for Eglinton-Lawrence, this is your last warning too.

**Mr Colle:** I want to know why he didn't consult Chief Fantino, the chief of the city of Toronto, why he won't answer that question.

**The Speaker:** Now you're out. I name Michael Colle and ask you to leave the chamber, please.

*Mr Colle was escorted from the chamber.*

**The Speaker:** Sorry again for the interruption. Solicitor General.

**Hon Mr Turnbull:** I would say that Chief Fantino, along with the chiefs of Ontario, has been broadly consulted, as have all people involved in emergency services. You would have to ask Chief Fantino the answer to that, but I can tell you that I have personally met with

him and ministry officials have met with him on an ongoing basis.

Additionally, we are announcing today significant amounts of money, which will help the city of Toronto specifically with some of their concerns.

**Mr McGuinty:** I hope you begin at some point along the way to understand that safety and security have to be more than just a slogan. I want to offer my assistance to you, Minister, when it comes to expediting the passage of an emergency preparedness law here in Ontario, but I also want to tell you—

*Interjection.*

**Mr McGuinty:** Thank you, Mini-Mike, for your comments.

Minister, I also want to tell you that we're going to have to help our cities and towns get ready for a potential emergency, and that's going to cost money in terms of preparing the plan, training the staff and practising the plan. Once you have a plan in place, you also begin to understand that there are other places where you may be coming up short in terms of beefing up your security. That's why we put forward our Ontario security fund, to help our municipalities prepare in case of an emergency. The question I have for you, Minister, is, why won't you support our Ontario security fund and emergency preparedness in Ontario?

**Hon Mr Turnbull:** Let me tell you, my first suggestion to you, sir, would be to get a new gag writer, because it ain't too funny to most of the people of Ontario. This is a serious matter.

I can tell you that in speaking with the officials, as I have done, they approve of what we're moving forward with. When I spoke to Chief Speed today, he was very supportive of the actions we are taking that will help the Toronto fire services. So I think you'd better get some better research than one of the local newspapers.

1430

## EDUCATION FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is for the Minister of Education. Minister, the policy manifesto adopted by the Ontario PC Campus Association outlines the following plan for education: "Phase 1 is to introduce charter schools into Ontario. The second phase is to implement vouchers in Ontario's public education system." They go on to say under this very radical education plan, "Any school, public, charter or private, will receive the same amount of money."

We are very interested in your opinions on this, because in addition to your responsibilities as Minister of Education, you are now vying for the leadership of the government. So can you tell us, Madam Minister, where do you stand on these fundamental issues related to education?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I appreciate the honourable member trying to make an announcement for me, but I don't need help in that regard, thank you very much.



First of all, the policies of this government are very, very clear. We respect parental choice. We make new investments into the public education system. We've supported, through a tax credit, parental choice and independent schools. We're setting standards for higher, improved student learning and are putting in supports to make sure that we can get that improved student learning. Those are the commitments of this government. Those are the plans that we're working on. Those are the plans that the public of Ontario has voted for in 1995 and again in 1999 and will do so again.

**Mr McGuinty:** I'll tell you why it's so very interesting to us. Of course, it's interesting to those whose support you are trying to gain in your bid for the leadership. We are very concerned about whether or not you support vouchers, whether or not you support charter schools and whether or not you support private school funding.

Now, you can become positively schizophrenic about this, Madam Minister, and give one message to the PC youth associations and another message to Ontarians at large. But I think your first responsibility is to Ontarians at large, so I'll give you the opportunity once more to renounce once and for all anything to do with charter schools and vouchers and private school funding. Will you now do that?

**Hon Mrs Ecker:** First of all, perhaps in the Liberal Party having a wing of young people who wish to express their views is not tolerated, but in this party we have young people who have views. You know what, Mr Speaker? We allow them to express those views, whether we agree with them or not. So I encourage the young Tories. I would encourage the young Liberals to join the young Tories, because obviously they don't have any room to have a view or a debate or a discussion about important issues like education in the Liberal Party.

The record of this government, the record of this minister and the commitments we've made to the people of Ontario for our education plan to improve student learning speak for themselves.

**Mr McGuinty:** I fully support the right of the PC youth associations to put forward their positions, but I think you also have a responsibility to put forward your position. That's what we're interested in hearing. I know where they stand; what I want to know today is where you stand.

I'll come back to the same issues again. When it comes to charter schools, Madam Minister, where do you stand? When it comes to vouchers, where do you stand? When it comes to funding for private schools, where do you stand? I know where the Ontario PC Youth Association stands. What I want to know here and now today is, where do you stand?

**Hon Mrs Ecker:** To the honourable member, his party went out with great fanfare and talked about parental choice. They said they supported parental choice. We have yet to hear how the Liberal Party would defend or define or put in place parental choice for the parents of Ontario.

On this side of the House, the record of this government, the commitments I have made as Minister of Education are to higher standards in our public education system, to helping our students meet those standards, to a more improved curriculum, to improved investments in our public education system, to parental choice within the public education system. You know what, Mr Speaker? We also on this side of the House respect parental choice when they go to independent schools, and the tax credit is doing that as well.

With the commitment on this side of the House, we don't need to explain ourselves to the Liberal Party, because we've been out—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

## ONTARIO ECONOMY

**Mr Howard Hampton (Kenora-Rainy River):** I have a question for the Minister of Finance. Minister, if Ontario's economy today were a movie, it would be *Nightmare on Main Street*. Bay Street will do fine; you've had lots of treats for them. But for ordinary people across this province, every new day brings more job cuts and more small businesses in trouble.

CIBC is now laying off 2,000 people. Sam the Record Man is calling it quits. Algoma Steel, your government admits—70,000 jobs are involved—hangs by a thread. You've had lots of treats for your corporate friends on Bay Street. What is your government's answer to all of those people across Ontario who are worried about losing their job or who have already lost their job?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The decisions that have been taken in the course of the past six years have been of vital importance in re-creating in Ontario a solid foundation, a diversified economy, an economy with strength and an economy with breadth. That's the best protection we can have in Ontario during a time of economic slowdown, that is, inherent strength in our economy because of the difficult decisions that were made in the past six years. We've continued those decisions. The tax reductions that were planned for January 1, 2002, have been accelerated. The capital tax, the personal income tax, the corporate income tax: all of that is moving again toward long-term sustainable growth in Ontario, which is always our best protection in a time of economic slowdown.

**Mr Hampton:** Since you've become Minister of Finance, all we've heard is more rhetoric about how corporations need more tax cuts and the well-off need more tax cuts. But in your time as Minister of Finance, 26,000 jobs in this province have gone down the drain. Clearly, your old trick isn't working. Clearly, every day more companies are laying off and more companies are saying they intend to lay off.

Municipalities are asking you to put some of the SuperBuild money out the door so that they can take care of needed infrastructure projects. Communities out there, where workers have been laid off, need some help.

Don't give them more rhetoric about how you're going to be kind to corporations or how the well-off are going to get another personal income tax cut. What are you doing for the people in this province who are really hurting?

**Hon Mr Flaherty:** We have removed thousands and thousands of relatively low income earners totally from the tax rolls in Ontario. That's important. That means significant savings for individuals.

The job creation in the course of the past six years has been unprecedented in Ontario, all of this because of good, sound fiscal policy in the province.

I can tell you that view of fiscal restraint and prudent management is shared by the other finance ministers in Canada with whom I met on Sunday. Certainly the principle of tax cuts is accepted broadly in Canada, including by the federal Liberal government. Certainly there is a view that is shared broadly in Canada among those of us responsible for finance that now is not the time for imprudent spending, now is not the time for deficits; now is the time for continued sound financial management in Canada.

**Mr Hampton:** What has become obvious is that as Ontario's economy has gotten into trouble, rigor mortis has set in for your government.

Minister, communities out there need the SuperBuild money so that they can get busy taking care of the infrastructure projects which will create jobs in their communities. People who work pay taxes, and they go to the shopping mall and contribute to the economy.

Other communities out there need some signal from your government that there's going to be a solidarity fund or some kind of economic strategy to help industries that are in trouble, to help them reposition themselves. Algoma Steel and A.G. Simpson are good examples.

Consumers out there—it is so bizarre. Your government defends tax cuts for corporations, you defend tax cuts for the well-off, but in terms of the average consumer out there, you absolutely refuse to institute a reduction in the sales tax, something that would be of benefit to 11 million people across this province, and get them back participating in the economy.

Don't give us more tired rhetoric. When are you going to respond to the municipalities? When are you going to respond to consumers with a sales tax reduction? How are you going to respond to those laid-off workers who won't get a cent of benefit from corporate tax cuts?

**Hon Mr Flaherty:** With respect to reductions in provincial sales tax, or for that matter federally, reductions in the GST, I think the general consensus is that those types of programs result in what they call in the auto industry, for example, "pulling-ahead sales." So, yes, there's a temporary acceleration of sales, but all you're doing is bringing forward sales that would happen in January and February, which then don't happen in January and February. So it's a very temporary kind of initiative with no long-term benefit for the economy.

I say to the member opposite that we need to be calm, that we need to look forward. We need to look at the

medium and the long term, what's good for the people of the province of Ontario not just next week but next year and over the course of the next five to 10 years.

If he wants to be helpful in the short term with respect to a very important issue for the auto sector in Ontario and for other industries in Ontario, he can help support our demand for a common North American customs perimeter, which is of utmost importance—

**The Speaker (Hon Gary Carr):** The Minister of Finance's time is up.

1440

## COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** Again to the Minister of Finance. Yesterday the US ambassador came here to the Toronto area to deliver a speech wherein he said that it's time "to speed up the approval process for pipelines and electricity transmission lines between Canada and the US." He was very clear that the United States wants an open market in electricity so that they can in effect purchase as much of Ontario's electricity as they want.

What we all know that means, when the market opens, is that our electricity prices will rise to the price that prevails in places like New York: 100% higher. This is going to be very good for investors who own the generation plants. It's going to be very bad for Ontario consumers. Yet your government continues to deny this. Can you tell us, are you simply out of the loop or do you ignore everything that the US ambassador is saying about how much they want our electricity and how much the price will increase?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I think the Minister of Energy wants to answer.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** It may come as a shock to the honourable member that the former Treasurer of his party, the Honourable Floyd Laughren, as head of the Ontario Energy Board has ordered that companies must increase the capacity of the inter-ties between Ontario and the United States. Why? Not because we're going to favour the United States but because we have very successful electricity companies here.

The honourable member is wrong. Our price today is very favourable to the United States, and for decades power has gone back and forth across the border. In fact, it was with great pride that last year there was a ceremony to recognize Ontario's contribution—this was before the September 11 tragedy—of power to New York City at noon and dinnertime, peak hours, on many, many days during an average year.

**Mr Hampton:** Minister, you try very hard to avoid the reality of this. In an open market you will no longer be able to tell generators in Ontario that they must supply the power to Ontario consumers at a lower price. Whatever consumers in New York are prepared to pay, and right now they're paying 123% more, that is what



Ontario consumers will pay, and the ambassador, Mr Cellucci, admits it. He's very clear about it.

Since you're so busy opening the market and since he's saying to you, "Open the market quickly. Open it completely," will you acknowledge what he acknowledges? The reality of an open market in electricity, the reality of selling off Ontario's electricity system, is that the price of electricity here will rise and be the same as the price of electricity in New York or Boston or Michigan; ie, our prices are very quickly going to rise substantially, perhaps double. He admits it. Why won't you?

**Hon Mr Wilson:** I went through this with the honourable member in the estimates committee yesterday but I will try again. I don't know why the honourable member wants Ontario not to have electricity jobs—good jobs like power worker union jobs, some of the best-paid jobs here in Ontario.

Quebec's utility is considered a jewel of French Canada and a jewel around the world with French-speaking peoples. They take great pride. They make billions of dollars a year selling into the United States, and the lights don't go out in Quebec.

We all know how much money BC Hydro made and how many jobs were created when California was in an energy crisis.

Alberta—thank God Alberta doesn't have the same views you have. There'd be no natural gas in the United States, no oil. There aren't enough people in Alberta to use all the natural gas and oil they dig up every day.

You need to have international markets but you need the head offices here, you need the jobs here and you need those good-quality jobs. You just asked a question about jobs, and now we're trying to create some, and you're trying to throw it out with your conspiracies.

#### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Citizenship. You will recognize that the Premier made a very specific promise to enact an Ontarians with Disabilities Act. You will also know how long ago he made that promise. You will also know how long it has been that the one and a half million Ontarians with disabilities have waited for him to deliver on that promise. It's been nearly seven years.

Minister, we understand now that you could be introducing a bill on this subject as soon as tomorrow. Three years ago, on a resolution proposed by our party, this House unanimously adopted 11 principles to be incorporated in this new piece of legislation. Will you commit today that your bill will abide by the 11 principles unanimously supported by this House?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I'm sure the honourable member is aware that I have responded to this and several other questions about the ODA in the last few weeks. He would also be aware that we have consulted quite widely with disabled groups and individuals and

stakeholders across the province. The principles he suggests have been widely discussed.

It would appear, perhaps, that the member opposite has not had much of a consultation with municipalities. I cite one example that I have cited in the House before, that if the Liberal Party fully supports complete, overriding provisions in the Municipal Act, as one example, that is not an issue municipalities are encouraged about.

When the honourable member sees the legislation, when it's tabled, he will see very clearly that these principles have been strongly considered and that there are opportunities in this legislation to move forward for persons with disabilities unlike any other government has done in Canada.

**Mr McGuinty:** Minister, I distinguish between something that is strongly considered and something that is unequivocally endorsed. I'm sure the Ontarians with disabilities will listen with great interest to your response.

Our party has been fighting for nearly seven years to get a strong and effective Ontarians with Disabilities Act, but that's not nearly as long as David Lepofsky and his committee have been fighting for this. It's one thing to keep the one and a half million Ontarians with disabilities waiting this long and it's quite another to shut them out of the process to lend shape to the actual legislation. That would be to add insult to injury.

I'm asking on their behalf that the committee that will be assigned the responsibility to deal with this new piece of legislation will travel immediately after first reading, that it won't just stay here in Toronto but will go to Thunder Bay and Windsor and Ottawa and points in between. Minister, do I have your commitment that this legislation will go to committee after first reading and that the committee will travel?

**Hon Mr Jackson:** This question has already been raised and it has already been responded to.

I want to go back to what the member has asked about the 11 principles. If there is anything the disability community has waited for over the last seven years, it has also been a commitment from the Liberal Party and the Liberal opposition. Just in your own report of your assessment of the situation confronting disabled persons in this province, you indicate that after you publish a reiteration of the principles—are you prepared to fund them, are you prepared to cost them and are you prepared to commit to them? No, you are not.

What the Liberals will do is that they feel—I quote directly from their report—this is a good starting point for any discussions regarding any future legislation. That's the problem. You would sit and discuss it for six years, like you did when you were the government. This government is going to table disability legislation that all disabled persons can be proud of in this province.

1450

## ONTARIO CANCER RESEARCH NETWORK

**Mrs Julia Munro (York North):** This question is for the Minister of Energy, Science and Technology. As this is Breast Cancer Awareness Month, it is fitting to remind ourselves that breast cancer is the most common cancer among women. According to the Canadian Cancer Society, an average of 53 Canadian women will be diagnosed with breast cancer every day and 15 will die of it. The good news is that breast cancer death rates have declined by 25% among women aged 50 to 69, and almost 14% overall since 1985.

Minister Wilson, last year you announced the government's commitment of \$50 million to fund the Ontario Cancer Research Network. When can we expect to see this network up and running?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** The fight against cancer must continue and Ontario must continue to take a leadership role. I think members will have noted in the newspaper last week that Ontario is the place of residence for the best researchers in the world. There was a wonderful media clip on that last week. The Ontario Cancer Research Network is what the honourable Ernie Eves challenged us to set up, to look into new therapies and to make sure patients have access to new therapies, treatments and prescription drugs sooner than they would if we didn't have that network here.

Dr Cal Stiller, chair of the Ontario research and development challenge fund, was asked to go out and consult with the cancer community, with researchers and other health care experts, and he came back and recommended we establish the \$50-million Ontario Cancer Research Network to better serve the people of Ontario and the world, but more importantly to try and find a cure for this devastating disease.

**Mrs Munro:** That's extremely good news. Dr Phillips' expertise will be an invaluable asset to the Ontario Cancer Research Network and I am pleased to hear he has agreed to take on this important task. It is apparent the government has made significant progress toward setting up the network, which I understand will provide an innovative, new approach to conducting cancer research. Would the minister tell the House what the Ontario Cancer Research Network will achieve and how it will achieve it?

**Hon Mr Wilson:** The \$50 million is to be spent over three years. The network will be a non-profit organization. It will be headed by Dr Robert Phillips, who is world renowned in the field of cancer and cancer research.

The network will invest in three key areas. Part of the \$50 million will be used to double Ontario's capacity to conduct clinical research and will advance existing research projects that are on the verge of yielding promising results. Second, the network will establish a

network of provincial tumour banks. These will be used to support laboratory-based research on why and how cancer tissues respond to various treatments. Finally, an on-line information network will be built that provides access to information on the status of current clinical accessible research.

My brother died of cancer about a year and a half ago. His wife, a public health nurse, spent hours on the Internet, at hospital site after hospital site, trying to find a clinical research program, some cure out there, some treatment out there. This will put it all into one site and link researchers around the world. If you have a loved one you want to try a new therapy on that isn't quite approved by Ottawa yet, but they're looking for people to go into those clinical trials, into those research projects, you'll be able to go to one site and get the best advice and access available in the world today.

## FRANCHISE BUSINESSES

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is to the Minister of Consumer and Business Services, and is on behalf of the 40,000 franchise owners in Ontario who are vulnerable to the arbitrary termination of their franchise agreements.

Small businesses, the engine of this economy, entrepreneurs like my constituent Janis Snyder and 25 other Grand and Toy franchisees across the province will lose their businesses with no reason given or compensation offered. All but two Grand and Toys will be closed this December. A specialist in the field brought these loopholes and potential disasters to your attention during the hearings for the Arthur Wishart Act (Franchise Disclosure). This government chose to ignore the fact that the majority of problems in franchising occur after signing the contract.

This is only the tip of the iceberg. I'm also hearing from other franchisees in the restaurant sector as well who are losing their lifelong investments. Will the minister bring forward amendments to this franchise act that would require fair commercial standards in the termination, renewal and performance of franchise agreements?

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** I am aware of this problem, and it has been raised with me by several members of the government caucus.

Mr Speaker, as you may know, there is a class action underway by the franchisees against the franchisor in this case. As such, it would be somewhat inappropriate for me to comment on the merits of the case. But I will say this: I have read the statement of claim of the franchisees, and the basis of their statement of claim is in fact the Arthur Wishart Act.

**Mrs Bountrogianni:** Minister, the Arthur Wishart Act doesn't help them in this case. Disclosure is only if the contract is open. The franchisor is closing the contracts, ending the contracts; therefore, they don't have to disclose.



There's a loophole here. You were warned about this loophole; check the Hansard. You must understand that the parties in franchise agreements are not on an equal footing. Ontario's franchisees are looking to this government to level the playing field and extend the franchise act to include fair commercial practices in the performance and termination of franchise agreements.

Without your commitment, these entrepreneurs remain vulnerable to the arbitrary actions of franchisors. My constituent Janis is a single mother with two daughters. She employs 30 people and has invested everything into her business. Think of the ripple effect. Hundreds of people will lose their jobs and many small businesses will lose all their investments.

Two things need to be done. First, the Arthur Wishart Act needs to be reopened and amended. Second, and in the meantime, will the minister take action and protect these Grand and Toy franchisee victims in Ontario and avert the loss of hundreds of jobs?

**Hon Mr Sterling:** First of all, there was a private contract between the franchisees and the franchisors which allowed certain things to be done or not done within the framework of those agreements. So a contract was signed. Presumably these people had legal advice with regard to the contract they were signing. If in fact the franchisor is outside of those agreements within the contract, the franchisees will be able to sue for damages.

I must say to the member opposite that disclosure is not part of the lawsuit which the franchisees have put forward in this case. Again, the franchisees are in fact relying on the very act that she is criticizing, the Arthur Wishart Act. Read the statement of claim.

### WORKFARE

**Mr Norm Miller (Parry Sound-Muskoka):** My question today is for the Minister of Community and Social Services. Minister, this summer you visited a number of communities in northern Ontario, including some stops to highlight some of the local successes in meeting the workfare targets. I know that in my community of Parry Sound-Muskoka we more than doubled our targets, and this was an opportunity for people to gain some valuable work experience, but it also earned the local government \$280,000 in workfare placement rewards through the workfare placement reward program.

At the same time, though, I know that many of my northern Ontario colleagues from the opposition benches have said that workfare hasn't been the success that we like to claim. When I hear the doom and gloom coming from the opposition members from northern Ontario, I wonder if workfare is as unpopular there as they like to make it out to be. What evidence can you point to that can convince me that workfare is successful in northern Ontario?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Back in 1995, we set out to transform a welfare system that

wasn't working for people. It wasn't providing that important hand up and that transition from welfare to work.

One of the exciting things I've seen in my travels around Ontario is that while workfare is a tremendous success in southern Ontario, the success is not the same in the north. In fact, northern municipalities aren't just making the targets; they're doing tremendously well. They're doing much better than southern Ontario. Five of the top 10 municipalities with workfare targets around the province are in northern Ontario. In Kenora-Rainy River, both districts there, they had almost 400% of people participating in work for welfare above their target. In Thunder Bay, the number was 371%. In Algoma and in Sault Ste Marie, they did tremendously well as well.

But let's look at what people on the ground are saying: "We do have a lot of people going off [welfare] who are finding employment, and considering that we haven't had any major employers move into the area, that lump sum is very impressive." Who said that? Eddie Alton, the CAO of the Timiskaming DSSAB.

### 1500

**Mr Miller:** I think it's fair to say that getting people off welfare and back into the workforce is not an easy job. Every person faces unique challenges and barriers to getting back into the workforce. Within the workfare program, there need to be different kinds of supports to meet these needs. One of the most important goals is to help put people on a track to a better and more prosperous future.

Minister, what actions have you taken to make sure that work for welfare does more than just put people into placements, that in fact it makes a meaningful difference to them in the long term?

**Hon Mr Baird:** We set about to reform the welfare system and turn it from a handout to a hand up. We've seen some pretty impressive results over the past six years, and with workfare, earnfare and learnfare, we've seen some really outstanding successes. We have about 97.5% of people with mandatory requirements on welfare participating in one or more of our work-for-welfare activities. We had 183,000 people with mandatory requirements last year; 4,400 were terminated for non-compliance, but we saw about 68,000 people participate in Ontario Works placements, which is an unbelievable accomplishment.

We have 3,600 people participating in self-employment activities; 104,000 taking basic education or job skills training; 134,000 participating in a structured job search; 52,000 people in our work-for-welfare program getting a part-time job and participating in earnfare; and 3,300 people participating in our Learning, Earning and Parenting program. This is undoubtedly part of the big success, seeing 600,000 people break free from a cycle of dependency.

## FEDERAL COUNTERTERRORISM LEGISLATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. I listened to the speech of the Attorney General yesterday, when he said that he was going to Ottawa to lobby the federal justice minister for tougher anti-terrorism responses. Disturbingly, in his two-page speech, not once did he mention the civil liberties of Ontario citizens.

As you know, the federal anti-terrorism legislation has drawn a great deal of criticism, one, because it does not contain a sunset clause. After the immediate threat of terrorism passes, we do not and should not be suspending people's civil liberties. As well, it has drawn criticism because it is so broadly worded that merely holding a demonstration, a protest or a strike could be included within the term "terrorism."

I want a commitment from you, Deputy Premier, that when you go to Ottawa, you will also lobby the federal government for a sunset clause, and you will stand up for the civil liberties of Ontario people, not just the anti-terrorism measures.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Of course we support the Canadian Charter of Rights and Freedoms—I think most Canadians do—as part of our bundle of constitutional protections we enjoy as citizens of Canada. Having said that, these are extraordinary times. We are dealing with an extraordinary enemy in terrorists living around the world.

We will continue to support the federal government's efforts to fight terrorism and terrorist activities. We are heartened that the proposed federal legislation also intends to take steps to address hate propaganda on the Internet and hate crimes, including crimes targeting places of religious worship. In addition, when I was Attorney General, we introduced our organized crime bill; it has been reintroduced as Bill 30. As you know, it will be a very useful tool, if passed, in addressing the issue of money laundering, which it is well known, I believe, is—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the Minister of Finance's time is up.

**Mr Hampton:** Minister, the question was, will you insist that this legislation have a sunset clause so that the civil liberties of Ontario citizens, and Canadians generally, will not be sacrificed? Will you insist that the definition of terrorism be narrowed so that someone holding a political protest, someone exercising their right to free speech, is not then locked up?

I want to point out that the RCMP spokespersons, the CSIS spokespersons and even Julian Fantino, chief of the Toronto Police Service, have said that the issue is not so much new legislation; the issue is a matter of resources. So he's asking why you haven't provided the resources for the Toronto Police Service. Even the heads of our police and security organizations are saying, "We don't need a broader definition of terrorism. We don't need to clamp down on the civil liberties of our citizens. What

we need is the resourcing." Would you helpfully respond to that, ensure that we're not going to sacrifice our civil liberties, and respond to those police services that are saying that the real issue is resourcing, not taking away people's civil liberties?

**Hon Mr Flaherty:** There are two questions there. One relates to trying to maintain a balance between the competing demands of privacy and civil liberties and the security of our nation, the security of our families, the security of our communities, the security of our province, the security of Canada.

I'm sure the honourable member opposite is as concerned as we are on this side that we need to co-operate with federal law enforcement officials, with CSIS, with the RCMP. We have the OPP. We're establishing our own anti-terrorism unit in Ontario. I'm sure the member opposite is as concerned as we are about the fundamental issue of security for our families in Ontario at a time of unprecedented attack by terrorists. We need to try to maintain that balance. We have the benefit of the Canadian Charter of Rights and Freedoms. We also have the benefit of the steps we've taken.

I can tell you that discussions continue with law enforcement agencies around Ontario and federally to take every step that reasonably can be taken to protect Canadians.

## OSTAR PROGRAM

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** My question is for the Minister of Agriculture, Food and Rural Affairs. I would like to ask you a question about your OSTAR program, or maybe it should be called the no-star program. There is certainly no money filtering down to rural municipalities, certainly not to eastern Ontario and certainly not to Glengarry-Prescott-Russell.

On August 10, 2000, you made a big announcement indicating that there was \$600 million available to rural municipalities for rural development; \$240 million was to upgrade municipal water and sewer systems to comply with your MOE regulations. Minister, 189 municipalities submitted over 600 applications, and municipalities have met with your staff on several occasions.

On August 20, all the mayors from my riding met with you and your staff, and you told them at that time that they should expect an announcement within the next two weeks. Ten weeks have gone by, and still no news. Minister, can you tell the mayors of rural Ontario when they can expect this announcement?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I thank the member for the question. As the member knows, the OSTAR project helps us to address some of the things that are a priority for this government, and certainly health and safety and water quality is one of them. As a result of that we announced that \$240-million program.

We have approved a number of preliminary engineering projects, as the member knows, and \$3 million has been committed and expensed out to the municipalities



for their preliminary engineering projects. When that comes in, as the member knows, it goes to the Ministry of the Environment to be evaluated, to refine their parameters and take advantage of some of the new technologies. That then permits the approval of the C of A. That's the process we've been going through now and, as we speak, those announcements will be happening shortly.

1510

**Mr Lalonde:** Minister, the people are no fools. I know it goes to the Ministry of the Environment and then to OMAFRA. The purpose of the August 20 meeting with you was that I was told by senior officials that municipalities should not expect any announcement before late fall. I think that official was right. But is it fall 2001 or 2002?

The mayor of Casselman told you at that meeting that their problem was urgent, that their water system, which was built under MOE supervision, was being held together with chicken wire. On September 27 you made a statement in this House that money was currently being directed to high-priority projects. The rural municipalities are just getting tired of your government games.

Minister, can you tell me when rural Ontario municipalities can expect answers, or have you been told by your finance minister not to approve any OSTAR projects? Or maybe the real reason is that you have been told to wait until an election is called to make these announcements to make your government look good.

**Hon Mr Coburn:** Our government doesn't play games when it comes to the health and safety of the residents of Ontario. The \$3 million that we had approved for the preliminary engineering projects were an indication to all those municipalities whose projects were being considered. There's a rigorous process that is involved here so that we can take advantage of some new technologies, so that we don't have piecemeal installations across the province, that we have installations that will be long-lasting and meet the new, rigid drinking water regulations that we have. Some of this stuff is in the country.

Those projects are going through a process now and, as I indicated, no, there are no games being played here. We have the dough and we're working with the municipalities. That will be coming forward shortly and we'll be able to provide infrastructure for healthy and safe communities long into the future.

#### COLLEGE STANDARDS AND ACCREDITATION

**Mr John O'Toole (Durham):** My question is to the Minister of Training, Colleges and Universities. I've heard you speak passionately about training our workforce for the future and the important role that our colleges of applied arts and technologies play in this post-secondary educational system. Certainly I'm familiar first-hand with the role of Durham College in my riding of Durham.

College provides, as you know, technical and applied education in communities across Ontario. College programs are unique because they focus directly on the needs of communities and local industry. College grads go on to succeed in rewarding careers and are vital to ensure the skilled workforce we need to support innovation and new industry across our province.

As we work to secure long-term prosperity as a government in this province, we have to count on the support of our colleges. Minister, what is our government doing to ensure that Ontario's colleges are ready to play an important role in the economic prosperity of this province?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** These are exciting times for our college system. I appreciate the ongoing support and interest from our member from Durham.

As everyone knows, one of the most exciting times in the history of Ontario is the new students we will be getting in our colleges and universities. Our colleges and universities are working together more than ever before. Because of our government's economic policies, we are in a position where we can plan for the future.

I think we have already told this House about the increased numbers in the money that went into our Super-Build projects. We've got 25 projects at our universities; 25 new projects at our colleges; we've got nine joint projects for 59 new buildings, to the tune of \$1.9 billion, both with the private sector supporting us.

Never before have our colleges, our universities and our schools worked together in the interests of our young people so we can fill those skills gaps and help them be trained for meaningful jobs.

**Mr O'Toole:** I'll tell you I'm confident of your support for the college and university system, most recently in the funding of operating funds and certainly on the capital side under SuperBuild. But really it's a matter today of the type of education so that they have the minimum level of skills required to not only find skilled jobs but to keep them. That demand is increasing.

Minister, we must teach our Ontario students to higher standards to ensure they are relevant and competitive in a skilled workforce. In addition to increasing funding, what steps will you take to ensure that Ontario's colleges have the administrative and academic tools necessary to teach and train Ontario's workforce to the standards they will require in the future?

**Hon Mrs Cunningham:** The member is quite correct: our colleges' operating fund is increasing by \$23.6 million this year as part of a three-year plan of \$293 million. As he's already said—very important—we are increasing our funding for apprenticeship training by \$33 million. We have promised to double the number of apprentices.

We are investing \$50 million over five years into our colleges to upgrade their facilities so that young people will be attracted, and we can work with our unions and with our communities to get more people into apprenticeship training.

The applied degree project, for which I will give a significant amount of credit to my colleague from Durham and to my other colleague representing Conestoga College, is extremely important. This is where young people will be part of an applied degree program. The colleges will be applying very shortly, and we're looking at 24 new projects over three years, and maybe more. This is all about apprenticeship training and getting ready for this big market where we must have skilled workers.

### HEALTH CARE FUNDING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My question was for the Minister of Health, but in his absence I'll go to the Deputy Premier.

Last November I asked the Minister of Health's predecessor—

**Interjection:** There he is now, coming in late.

**Mr McMeekin:** He's out selling memberships.

My question is for the Minister of Health. Last November I asked your predecessor to give assurances to the people of Hamilton that they would not see the capital costs of upgrading the Hamilton Health Sciences Corp slapped on to their property taxes. She acknowledged it was a good question and promised to review the situation and report back.

Now, almost a year later, we read today in the Hamilton Spectator that the HSC board chair, Marvin Ryder, wants another \$75 million of health care capital costs downloaded on to our already beleaguered property taxpayers. This would mean, according to the mayor, a total downloading of \$126.5 million and at least a 7.5% tax increase every year for the next decade for every single Hamilton taxpayer. Mr Ryder believes a special tax levy is needed. He states, "I understand the Hamilton tax situation, but if people see something marked Special on their tax bill, they might feel better about it." Well, it certainly made me feel better. Why, it warmed me from head to toe.

Minister, do you agree with Mr Ryder? Do you think municipalities like the new city of Hamilton should see millions of dollars downloaded and a new special health tax levy identified on their property tax bills?

**Hon Tony Clement (Minister of Health and Long-Term Care):** As the member is aware, it's nothing new. There has always been community participation in new capital projects in Ontario. We have had dozens and dozens of examples of private fundraising, philanthropic gifts, community participation willingly in the capital drives of our hospitals. This is no different than all these other examples that have happened in the decades since we have been attempting to rebuild our hospitals in Ontario.

So if the honourable member is asking me whether there's a requirement that the city of Hamilton or the city of Hamilton taxpayers through their property taxes participate, there is no requirement, but there is and always has been an expectation of community participation; 70%

comes through taxpayers' funds from the province of Ontario and 30% comes locally.

**Mr McMeekin:** Minister, you're going to have to do better than that to convince the people I represent that they're not getting shafted once again.

It's also reported in today's Spectator that your own provincial audit has concluded that the city's public health department has received a failing grade in two thirds of its mandatory programs. It appears they can't even afford the staffing to meet current needs. This is an incredibly frustrating situation for our mayor and council. Today they're struggling just to make ends meet and respond to the service areas your government has already offloaded. This has got to stop. Dumping more costs on to the city of Hamilton is not a realistic option. It just can't happen without other important services being slashed throughout the entire new city.

Minister, the people I represent are sick and tired of all the game-playing. They want your government's assurance that they will not have to pay through their property taxes for the provision of provincially mandated health care services. Will you give that assurance today?

**Hon Mr Clement:** No, because I'm not the mayor of Hamilton and neither is the member. The question is, is there an expectation of community participation? In many other regions and cities in Ontario—Kitchener-Waterloo comes to mind; Peterborough comes to mind—there have been examples where municipalities and individuals, the taxpayers, have willingly come to the table to further advance better health care for the citizenry in their region or city. This is no different. If this is the way Hamilton wishes to have the community participate, it has my blessing. If they want to use another way, through philanthropic gifts or private gifts, that's fine too.

We only say that it is important for the process to continue, for the work to be done, for the community to have a stake in whatever revamping or renovation or rebuilding is done, that the community participate as well as the province. This is no different from many other cities and regions across the province.

1520

### OKTOBERFEST

**Mr Wayne Wettlaufer (Kitchener Centre):** I have a question for the Minister of Tourism, Culture and Recreation. Earlier this month, Kitchener celebrated its 33rd successful year of Oktoberfest.

*Applause.*

**Mr Wettlaufer:** Thank you. Minister, this is North America's largest Bavarian festival. Not only is it North America's largest Bavarian festival, but it is one of the largest festivals of any kind in North America. It is the largest cultural festival in North America. It attracted over 700,000 people this year. There are over 40 family and cultural events at Oktoberfest, including Canada's largest Thanksgiving Day parade, which is the only parade outside of the United States to be televised on an



American television network on Thanksgiving Day in the United States.

Oktoberfest is an important contributor to the economy in Kitchener-Waterloo, generating \$18 million annually. More than 450 volunteers, charitable groups and local service clubs work hard every year to make this event a success. Given the importance of Oktoberfest in attracting tourists, can you tell the House what your ministry is doing to support Oktoberfest?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I appreciate the member from Kitchener Centre's question and his ongoing strong support for Oktoberfest as an economic and tourism generator in the Kitchener-Waterloo area. Certainly there are other members from the K-W area participating annually in that event.

That is one of the 74 events the province of Ontario supports to increase tourism, to have them come into the area, spend more dollars on hotels, restaurants and attractions, and ideally to come back again and visit other attractions in the province. We're very pleased that this year, for the fifth year in a row, the Mike Harris government has sponsored Oktoberfest, about \$15,000. It has been named the top event in Canada on several occasions by the American Bus Association, so I'm confident of a great future ahead.

The program tries to advertise the Ontario logo at the American Thanksgiving parade, for example, with television, radio and print ads. There's no doubt that we believe Oktoberfest is wunderbar and we also believe: Ontario: Yours to Discover.

## PETITIONS

### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** To the Legislative Assembly of Ontario:

"Whereas there remain many unanswered questions about the role of the Ontario Provincial Police in dealing with the occupation of Ipperwash Provincial Park in September 1995 during which a native protester, Dudley George, was killed; ...

"Whereas there is evidence seeming to implicate the Premier's office in these events in the form of inter-ministerial notes and direct communications by the local member of the provincial Parliament to the Premier's office;

"Whereas all criminal proceedings related to the events at Ipperwash have concluded and outstanding civil litigation is not a prohibitive factor;

"We, the undersigned, petition the Legislative Assembly of Ontario that a full public inquiry be held as soon as possible into the events surrounding the fatal shooting of Dudley George in order to eliminate all misconceptions held by and about the government, the Ontario Provincial Police and the Stoney Point First Nations people."

I affix my signature.

## CRUELTY TO ANIMALS

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

## COMMUNITY CARE ACCESS CENTRES

**Mr Ernie Parsons (Prince Edward-Hastings):** To the Legislative Assembly of Ontario:

"Whereas the Mike Harris government promised to institute 'patient-based budgeting' for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of \$175 million due to a funding rollback by the provincial government; and

"Whereas due to this funding rollback, CCACs have cut back on home care services affecting many sick and elderly Ontarians; and

"Whereas these cuts in services are forcing Ontarians into more expensive long-term-care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately lift the funding freeze for home care services, so as to ensure that community care access centres can provide the services that Ontario's working families need."

I'm pleased to add my signature to this.

## HOME CARE

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a number of petitions to the Legislative Assembly of Ontario.

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of CCACs; and

"Whereas the funding provided by the Ontario government, through the Ministry of Health and Long-Term Care, is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act currently before the Legislature, are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of the fiscal year."

I agree with this petition. I am pleased to sign it, and I'm pleased to give it to my page, Tim Armstrong from the town of Gore Bay.

## EDUCATION

**Mr Tony Ruprecht (Davenport):** I keep getting petitions regarding the problems in education. This petition is addressed to the Legislative Assembly of Ontario and reads as follows:

"Whereas the Ontario government wants to take an additional billion dollars out of the education system this year and every year; and

"Whereas the Ontario government has decided to hire uncertified teachers in kindergartens, libraries, for guidance, physical education, the arts, and technology; and

"Whereas the Ontario government wishes to remove the right to negotiate working conditions; and

"Whereas the Ontario government will remove at least 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government has become the sole decision-maker on class size, preparation time and the length of the school day; and

"Whereas the Ontario government proposes to take decision-making powers out of the hands of locally-elected community-minded trustees;

"We, the undersigned Ontario residents, strongly urge the government to repeal the education bill and create an accessible public consultative process for students, parents, teachers, and school board administrators to study alternate solutions that have universal appeal and will lead to an improved educational system."

Since I agree, I am signing this document with my signature.

## LONDON HEALTH SCIENCES CENTRE

**Mr Pat Hoy (Chatham-Kent Essex):** To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I sign this petition.

1530

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I'm in full agreement and will assign my signature hereto.



### MEDICAL SCHOOL TUITION

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas medical school tuition was deregulated by the Ontario government in 1998; and medical school tuition has and continues to increase in excess of 300% such that at some universities tuition is now \$14,000;

"Whereas the combination of excessive tuition and frozen student assistance have impaired students' accessibility to a medical education;

"Whereas the physicians most likely to practise in a rural area are originally from rural areas themselves; and

"Whereas unaffordable tuition disproportionately excludes medical students from rural communities;

"Be it resolved that we, the undersigned, petition the Ontario government and the universities of Ontario to ensure that medical education be made financially accessible to all qualified students; and

"Be it further resolved that we, the undersigned, request that medical tuition be capped and re-regulated at a level accessible to all Ontarians, and that the Ontario student assistance plan/Canada student loan program be adjusted, in order to ensure that Ontarians from all communities are able to afford a medical school education."

I agree with this petition and have signed it as well.

### SALE OF SCHOOLS

**Mr Tony Ruprecht (Davenport):** I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the Hughes Public School at 17 Innes Ave in the city of Toronto closed down, and its premises have been declared surplus by the Toronto District School Board (TDSB);

"Whereas the city of Toronto has issued a building permit to the Toronto District School Board permitting the reconstruction of Hughes Public School for an entity called Beatrice House, for the purpose of a private academic school;

"Whereas Beatrice House is not a private school registered with the Ministry of Education ... ; and

"Whereas within the context of the zoning bylaw (438-86), the subject lands have been designated as R2 Z0.6 and permits a 'private academic, philanthropic or religious school'; and

"Whereas the Toronto District School Board has chosen not to lease the subject premises to a computer training company for \$1.25 million annually. Instead, the board has chosen to lease it to the Beatrice House for a fraction of the current market value;

"Whereas local taxpayers' concerns have been ignored by the Toronto District School Board;

"Whereas other locations, such as the Brother Edmund Rice School ... or the Earls Court Public School ... which are being closed down, have been offered to Beatrice House to no avail;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Honourable Minister of Education investigate the leasing arrangement between the Toronto District School Board and Beatrice House inasmuch as:

"(1) Boards are to seek fair market value when selling, leasing or otherwise disposing of schools except that the price for the property not to exceed the value of the ministry's grant for the new pupil places when the purchaser is a coterminous board, a provincial school, or a publicly funded care and treatment facility offering programs leading to a diploma;

"(2) Boards are to offer the property to coterminous boards and other public agencies operating in the area in accordance with the priority order currently specified in regulation 444/98;

"(3) Toronto District School Board has not dealt in good faith with our neighbourhood residents;

"Therefore, we respectfully ask you to consider our plea for justice. The Toronto District School Board has ignored our concerns and due diligence. We as a community tried everything within our power to fight the glaring and obvious wrong done to us, to no avail."

Since I agree with this petition, I'm delighted to sign it.

### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children ... at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario" in such places as Forest, Sarnia, Port Franks, London and Corunna, "are not put at risk."

I'm in full agreement and sign my signature hereto.

## HIGHWAY SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** To the Legislative Assembly of Ontario:

"Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

"Whereas traffic levels on all sections of Highway 401 continue to increase; and

"Whereas Canada's number one trade and travel route was designed in the 1950s for fewer vehicles and lighter trucks; and

"Whereas road funding is almost completely paid through vehicle permit and driving licence fees; and

"Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to over \$2.7 billion in provincial gas taxes and over \$2.3 billion in federal gas taxes;

"We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with fully paved shoulders and rumble strips; and

"We respectfully request that the Legislative Assembly of Ontario place firm pressure on the federal government to invest its gasoline tax revenue in road safety improvements in Ontario."

I, too, have signed this petition.

## ORDERS OF THE DAY

BROWNFIELDS STATUTE LAW  
AMENDMENT ACT, 2001LOI DE 2001 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LES FRICHES CONTAMINÉES

Resuming the debate adjourned on October 29, 2001, on the motion for third reading of Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters / Projet de loi 56, Loi visant à encourager la revitalisation des terrains contaminés et apportant d'autres modifications se rapportant à des questions environnementales.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Because I want to hear the member for Trinity-Spadina speak, I'd like to call order G56.

**Mr Gilles Bisson (Timmins-James Bay):** If you remember, the last time we were debating this bill, I actually just had the opportunity to get the floor, and I am now, with pleasure, going to go through and explain what I feel are the strengths of this bill, what I think are some of the weaknesses of the bill and why I generally support the intent of this legislation because I think it goes in the

right direction, but where I think this bill, quite frankly, has got to be strengthened.

First of all, let me say straight out to the Minister of Community and Social Services, my friend Rosario Marchese will be coming back to speak, so you will have an opportunity this afternoon. But I'm the first act, so you have to put up with it, all right?

**Mr Michael Prue (Beaches-East York):** And I'm the second act.

**Mr Bisson:** Michael is the second act and Rosie will be the third.

**Hon Mr Baird:** The teaser.

**Mr Bisson:** There you go. That's just the way we set it up.

Anyway, I just want to say to the government members across the way that I generally support what the government is doing in this legislation. I, along with the other New Democrats and, I would imagine, most members of this House, have had experiences where there have been brownfields in the middle of our communities that have gone undeveloped for a number of years because of the waste, contaminated soils by way of all kinds of activities, everything from mining to lumber to steel mills to petrochemical plants, you name it. There are those types of environmental disasters all over.

1540

How we got into that situation is that in the bad old days, when there was a real zeal to build plants, there was not the type of environmental legislation we have now to make sure we protect our lands, to prevent them from being contaminated in the future. For example, where I come from—I'll just give you one story—the Kamiskotia Mine, developed in the 1940s, was developed as a copper mine out at Kamiskotia Lake to assist the Canadian government in its war efforts, to supply the much-needed copper that we needed at the time to support the Allies and our own armed forces when it came to copper production. That mine was brought on line so fast that a whole bunch of environmental issues that should have been dealt with when the mine was built weren't. Tailings dams were not constructed. The mine effluent from the mill process was discharged directly out into the environment. We now have, some 60 years later, a huge environmental disaster out at Kamiskotia Lake. In fact, my own cottage, the family cottage we have, is but a stone's throw from what I would say is probably one of the largest mining disasters in Ontario when it comes to contamination.

I've worked very hard, along with others—councillor Rick Bisson, former mayor Vic Power and current mayor Jamie Lim—in order to bring much-needed money from the provincial government so we're able to do the remedial work we need to bring that site back to a situation where it's a lot greener and not as polluted as we see it now. I'm happy to say that we've been very successful in getting money from the provincial government, first from the former Minister of Northern Development and Mines, Tim Hudak, and now from the current Minister of Northern Development and Mines,



Dan Newman. I've been successful, along with others, in being able to attract almost \$10 million this year alone to do remedial work on that site. I give the government kudos on that.

I've always said it is my job as a member of this Legislature and as an advocate for my community that if the government does something wrong, I'm going to be there and I'll be pushing you to do what I think is right, but if you've done something right it's my responsibility to say you've done it. So I give full credit to Dan Newman and to Tim Hudak, the former Minister of Northern Development and Mines, for first of all understanding the issue, listening to what I had to say, and going through the process of meeting people like Rick Bisson, the community residents and the former mayor and the current mayor of the city of Timmins to get that much-needed money.

But now let's get specific to this bill. We have other environmental disasters in the community. One of the other ones we have is another mining project. This case is the old MacIntyre mine. I'll show you how this relates directly to the brownfields bill we have right now. At one point years ago, the MacIntyre mine was producing gold in the Schumacher area. The tailings dam constructed way back when—I believe it dates back to the 1930s—eventually was filled with water and they made a sort of reclamation lake in the area that eventually became a park. If people have driven to the city of Timmins onwards from the 1940s and 1950s, there was a really beautiful area that was called the Pearl Lake Park, situated directly between the city of Timmins and the town of Schumacher. What you had there was a park in the centre of the city of Timmins, a wonderful area that people used for enjoyment, for going out for a picnic with their families. If you wanted to go out and play a game of baseball or you just generally wanted to go with the children for a day in the park, it was a wonderful park. The MacIntyre mine and the Lions Club used to maintain part of it and the city of Timmins maintained the other part.

What happened was that a company known as ERG Resources eventually came along, and that particular company said, "We want to reclaim the tailings under that park." It had been reclaimed as a park; they had managed to backfill it again and basically have grass and baseball diamonds and trees and such. This particular company said, "We want to reclaim the tailings. We believe we can make lots of money and create many jobs in the city of Timmins." The time that originally came up was in the 1980s, actually under the former Liberal government; Mr Bradley was the Minister of the Environment at the time.

The government of the day, both the municipal and provincial governments, allowed that project to go ahead without the necessary bonds to secure that, if that company went bankrupt, there would be sufficient money there to reclaim the environmental damage they would cause by re-mining the tailings. Well, history has shown—that company came cap in hand to both the

municipal and the provincial government and said, "We need these jobs. They're important to the community. Trust us, we'll be there. We're going to be here for a long time. We're making a substantial investment in the city of Timmins. We're not going to leave you stuck," they said. "We're going to make sure that when we finish reclaiming the tailings at Pearl Lake Park, we're going to restore that park to a better condition" than at the time ERG wanted to come and do the reclamation. I remember saying as a citizen at the time, "This is wrong. We know these people are going to run with the money and we'll never see them again. You should not allow this company to go ahead and do this development."

The provincial government gave approval. The municipality gave approval. The company went out and took the gold out of the tailings at the old Pearl Lake Park, and guess what happened?

*Interjection.*

**Mr Bisson:** The member for Trinity-Spadina is perfectly right. The company basically went under, and now we have a huge environmental disaster in the centre of the city of Timmins.

What do you do with those types of disasters? One of the things was already done. Under the NDP government we passed the mine reclamation act that basically said any mine that conducts activities in the province has to secure the money upfront for the environmental disaster they may cause when they are finished their operations. A set-aside fund was set, mine closure plans had to be drawn up, and any mine that has started up since the time we were in government and passed the legislation in 1991 had to post a mine reclamation plan and must post money in a set-aside fund so that if they're not there with the money to fix the problem at the end, it's not us, the taxpayers, who are stuck.

For example, when mines are now closed throughout the province as the mine life cycle ends—that's not something we like to see where I come from, but when it happens, there is now legislation that ensures, for example in the case of Detour Lake, because of the legislation passed by Shelley Martel, that when that mine is shut down, a full reclamation is done. I invite members to come with me in about three years' time. I will be able to fly over that mine and you will never know there was a mine at that location. Why? Because the NDP government put in place the mine closure act that put set-aside funds in place, as well as putting mine closure plans in place.

*Interjections.*

**Mr Bisson:** Here's where I'm going. That's exactly my point. This is what you can do by way of legislation if you decide to really do the things that need to be done. The government wants to go on the issue of what we're going to do now with brownfields such as Pearl Lake that is a situation we're stuck with. The government says, "We're giving you all the tools by way of this legislation." What they're doing is a fairly good idea in a legislative process, but there are some difficulties when it comes to the financing and what may happen in the

regulation. Basically what the bill provides for is a site-specific risk assessment. Instead of matching up a set of contaminations and level of contaminations with fixed requirements for specific kinds of cleanups, landowners will be given the flexibility to recommend a program of remediation specifically tailored to the risk posed by that site for the particular land use proposed. The activity will most likely be driven by the proponents and the key rules will be in regulation. So there's going to be a very phased-step process by which people will be more easily able get through the environmental process of reclaiming those sites.

I say to the government, that's a good thing. Again I'll give you kudos for that. I don't have a difficulty with what you're doing here. But here's where I think the legislation is weak. First, much is left to the regulations. We again find ourselves in the situation that the government comes in with legislation that generally we can support, but they don't give us the detail. Most of it is in regulations, and it will be the minister in the end who will decide how this will or will not work. You can have the legislation be a fairly permissive thing, but if the regulations are done improperly or inadequately or in a contrary way, we could end up with virtually nothing. I really wonder what is going to be in the regulations and I would encourage the government to please table them so we can see what that's going to be.

But here is the bigger issue. I want to ask anybody who is watching here today, who is going to be the first one to run to the city of Timmins to reclaim what used to be Pearl Lake with this bill? I don't hear the phone ringing. OK, you can call. The number here is 325-8300, area code 416. Anybody who is watching, please call right now. We're going to read your number on air as we speak, the first proponent who, by way of this bill, is actually going to go out and develop some type of use for what used to be Pearl Lake. I don't hear the phone ringing and I'll tell you why, and I suspect it's the situation we're going to find. You need to put some dollars in place to have this work.

1550

Here's what I suggest we can do. We can do, for example, what the NDP government had done when it was in power between 1990 and 1995 when we had the Canada infrastructure program. Our model was a very simple and a very successful one. If the municipality, or the proponent in this case—and I would argue a private sector developer is prepared to put up a substantial share of the project. Both the federal and provincial governments would kick some in to assist, because the problem we're going to have is, it's not worth their while, for a developer, to reclaim an area like the Pearl Lake Park to land that could be used. Even if we give them the land for free, the amount of money they're going to have to spend to reclaim that land for industrial use, recreational use or residential use will far outweigh the cost benefit of being able to do that. In other words, it would be cheaper, for example, if I needed five acres in the city of Timmins as a private developer, to go around the highway, along the

610 highway out to Texas Gulf, and build my plant or whatever it is I want to build, my recreational facility or my residential complex, on that five acres than it would be to do it there. Why? Because it's going to cost a whack of money to reclaim that land. I would think—

**Mr Peter Kormos (Niagara Centre):** It ain't gonna happen.

**Mr Bisson:** It ain't gonna happen. My friend from Welland-Thorold is perfectly right. Who's going to be the one—

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** Stop interrupting.

**Mr Bisson:** I was going to interrupt you, my friend Greg Sorbara, but that was another story.

Anyway, who is going to develop the land if the cost is far higher than the amount of money necessary for you to do it on another piece of land? I look at my good friend Mr Sorbara—

**The Acting Speaker (Mr Bert Johnson):** The member from Vaughan-King-Aurora, come to order.

**Mr Bisson:** —who, I know, has a lot of money, who is a developer himself. I'll be very surprised if Greg Sorbara comes running to the city of Timmins to develop land that used to be known as the Pearl Lake Park, because he's a sound business person.

*Interjection.*

**The Acting Speaker:** The minister from Orléans, come to order.

**Mr Bisson:** He might be a politician that I wouldn't vote for, but from a business point of view I understand when he says, "How much is it going to cost me to develop this land to the state that I want?" "X amount of dollars." "How much would it cost to go somewhere else where I don't have to deal with the environmental issues?" "Oh, a lot cheaper. I'm going over there."

So who's going to develop this land? It's probably going to come down to us, the taxpayers. The city of Timmins, the Mattagami Regional Conservation Authority or somebody in the end, I would figure, in a period of 15 to 20 years are going to be the ones who will be stuck footing the bill to reclaim that area to some sort of recreational use in years to come. I know the city of Timmins doesn't like the idea of having this eyesore in the middle of the city. All we've got now is this great big fence that you can't see behind at times, when they put the little slats through it, and it gives an appearance that maybe there's nothing behind the fence. At some point, we want to be able to reuse that land. My suggestion to the government is, you've given the city of Timmins or the Mattagami Regional Conservation Authority the tools by way of this legislation to make it happen, but they're not going to do it because the cost will be far more prohibitive than you would lead them to believe by way of this legislation.

My positive, good idea to you—what was the line again? "Practical, good ideas"—would be basically this: the government should put in place the kinds of dollars it needs to assist municipalities to redevelop this land or, in some cases, private sector developers, if need be.



I see some people squinting at that one, but there's no reason you cannot develop public sector-private sector partnerships to develop some of this land. I don't see why we shouldn't be able to do that. If it's public sector, I would argue you can mirror what the Rae government had done with the Canada-Ontario infrastructure program and say, "Everybody pays a third." Let's negotiate an agreement with the federal government. If the municipality is willing to put up a third of the cost of redeveloping the old Pearl Lake Park in the city of Timmins, the province and the federal government will kick in a third. If there is a private sector component to this, then we negotiate some way that the private sector person doesn't get in cheap or for nothing, they pay their fair share, but the various levels of government can participate if they want.

I think that would be a good way to redevelop a brownfield such as we have in the city of Timmins when it comes to the old Pearl Lake Park. I see that as a positive, good idea that we, the NDP, are putting forward that would be a good way to augment what you have in the legislation.

Ce n'est pas la seule place où vous allez voir une telle sorte de situation. Je regarde, par exemple, les communautés à travers la route 11 dans mon comté de Timmins-Baie James, où Smooth Rock Falls, Kapuskasing, certainement Hearst et d'autres municipalités ont les mêmes sortes de situation, où les entreprises qui ont été là dans le passé ont fait des développements et, à la fin de la journée, la municipalité est rendue dans la situation où le coût de rétablir et reprendre ces terrains pour le développement municipal ou le développement pour les entreprises privées est trop dispendieux.

Je dis à mes collègues dans l'Assemblée, je dis à mes collègues aux conseils municipaux à travers des municipalités de Smooth Rock Falls à Hearst et aussi la communauté de Constance Lake, que la législation qu'on débat aujourd'hui va vous donner des outils pour être capables d'au moins avancer sur le point légal de redévelopper ces terrains. Mais quand ça vient aux vrais outils de développement—et on sait ce que c'est, monsieur Prue : c'est l'argent. Les outils de développement, monsieur Rosario Marchese, c'est quoi ? C'est l'argent. Il n'y a personne dans le secteur privé qui va développer quelque chose parce qu'eux autres veulent être seulement de bons citoyens. La raison pour laquelle ils vont dépenser l'argent, c'est parce qu'ils figurent qu'ils vont être capables de faire un profit avec l'investissement qu'ils ont fait.

C'est pour cette raison que je dis qu'on a besoin d'avoir, comme partie de cette stratégie—on a la stratégie législative que je pense être une bonne idée. Au Nouveau Parti démocratique, on propose une idée où on peut mettre en place une entente entre la municipalité, la province et le fédéral, une entente qui dit que si c'est une municipalité qui veut reprendre ces terrains et les redevelopper, on va chacun payer un tiers du coût. Ça fait du bon sens, parce que les communautés comme Smooth Rock Falls, par exemple, n'ont pas les moyens pour tout

redévelopper elles-mêmes avec l'argent de leurs contribuables parce que, à la fin de la journée, elles n'en ont pas assez.

Si la province et le fédéral peuvent faire un engagement avec la municipalité, ça fait beaucoup plus de bon sens, et il y a plus de chances, dans mon opinion, que ces municipalités se trouvent dans une situation où elles vont être capables de redévelopper ces terrains. Je dis que si quelqu'un dit, « Oui, je suis un entrepreneur du secteur privé et je veux être capable de redévelopper ces terrains qui ont été des sites, qui ont eu des désastres environnementaux dans ces municipalités », oui, cette personne, cet individu comme entreprise privée va avoir des outils à travers le processus législatif, mais encore ça devient la question de dollars. C'est pour cette raison que nous suggérons une idée pratique de la part du NPD qu'on a besoin de mettre en place une sorte de programme pour assister les municipalités à elles-mêmes développer les partenariats entre les secteurs privés et publics pour être capables de redévelopper ces terrains.

I note that I'm coming to the end of my time in this speech. I just want to say I haven't heard the phone ring yet. I'm still waiting for somebody to call us at 325-8300 to let us know who's ready to develop the Pearl Lake Park. I don't hear the phone ringing, it hasn't rung in a while and I suspect it won't for a long time unless we as a province say we're prepared not only to give the legislative authority for developers and municipalities to redevelop what are brownfields, such as the old Pearl Lake Park in the city of Timmins, but we need to put in place the dollars so that at the end of the day they have the financial means to be able to go ahead and do what is the right thing: redevelop some of those areas in our communities that are brownfields that, quite frankly, are long overdue to be redeveloped into useful land in communities across Ontario.

**The Acting Speaker:** Just to be fair, I think for those watching, they should know that there are no phones in this chamber.

The time after debate is for comments and questions.

**Mr Joseph Spina (Brampton Centre):** We're pleased that there are elements of this bill that the members of the opposition are supporting. I think it's an important element that when we talk about redevelopment for our communities, a lot of people go to the easiest route, the simplest route, and that's to greenfield development. But the real challenge is to make sure that the inner cores of our cities and towns that have had problems, that have had industrial pockets, have the opportunity to be developed and to be able to redevelop with the government's support.

**The Acting Speaker:** Would you stop the clock, please. The Chair recognizes the member for Niagara Centre.

**1600**

**Mr Kormos:** On a point of order, Mr Speaker: I'm inquiring whether or not there is a quorum present.

**The Acting Speaker:** Would you check for a quorum, please?

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Brampton Centre has about a minute and a half to complete comments and questions.

**Mr Spina:** I just wanted to conclude by saying we're pleased to have the opportunity to have government be the incentive to redevelop brownfield sites in our communities across Ontario.

**Mr Steve Peters (Elgin-Middlesex-London):** I'd like to take this opportunity to compliment the member from Timmins-James Bay. He raises, I think, one of the most important and fundamental points of this legislation that's in front of us today, and that's the question of dollars.

I witnessed first hand the closing of the Canada Iron foundry in St Thomas in 1988. Finally, here we are: in the year 2001, the site is being redeveloped. For 13 years this site of eight acres of land sat as a blight in downtown St Thomas. But unfortunately the dollars just weren't available to justify the expense of the cleanup of that site if it wasn't for the fact that the price had been lowered so much on the value of that land that it finally came to the point where it was feasible to clean up the site.

I think we look at the legacy of the Industrial Revolution in this country, and everywhere you go, no matter which municipality you visit in this province, you can see the legacy of the industrial age, be it an abandoned building or an abandoned site.

As government, we need to do everything we possibly can to help encourage the redevelopment of these sites, because at the same time as we've witnessed the redevelopment of a former iron foundry site in St Thomas, we also saw 40 acres of a golf course, a beautiful green-field of mature trees and a wonderful nine-hole golf course, destroyed, and destroyed for what? A Wal-Mart.

The investment is great to see in the community, but we need to see government play a role in helping to encourage the redevelopment and coming to the table with dollars to encourage the redevelopment of these brown-field sites.

**Mr Kormos:** I know exactly what parts of the north, what parts around Timmins the member from Timmins-James Bay speaks of; I've seen them. It's not unique to Timmins. Down where I come from, down in Welland and Thorold and Pelham and south St Catharines, especially Welland-Thorold and south St Catharines, those communities are burdened with huge tracts of land, many of them because of the development of those communities from the inner core outward and from where industry used to be a part of the core of the community, huge tracts of land that are the brownfields contemplated in this legislation.

For instance, when Mayor Cindy Forster of Welland and when Mayor Robin Davidson of Thorold learned that this legislation was before the House, they were somewhat enthused. They were optimistic, because both

these mayors have been aggressively working within their respective communities to develop their communities, to bring some vitality and life back to their downtowns, to the older sections of the community. But their enthusiasm was soon dampened, indeed thoroughly soured, when they read—

**The Acting Speaker:** The Chair recognizes the member for Trinity-Spadina.

**Mr Rosario Marchese (Trinity-Spadina):** You can't recognize two people at once. He's on the floor.

**The Acting Speaker:** I thought you had a point of order. The Chair recognizes the member for Niagara Centre.

**Mr Kormos:** The member from Trinity-Spadina has no point of order.

The mayors of these communities, similar to older industrial-based communities across the province, are dismayed, because although the bill purports to provide them some new opportunities, in the absence of any assistance—not a penny, not a nickel, not a dime—to develop those properties, to effectively clean them up, to remediate them, they are doomed to live with them and the status quo.

**The Acting Speaker:** My apologies. When somebody is standing and talking, I just thought that—  
Comments and questions?

**Mr James J. Bradley (St Catharines):** There is no question that each one of us has, within the boundaries of our communities, lands which could be appropriately developed and, unfortunately, to this point in time, have not been.

The member has pointed out that there are both positive and negative aspects to this legislation. While we would like to support legislation which has some positive initiatives for the province, we often find a fatal flaw within that legislation that does not allow those of us in the opposition to give enthusiastic and unfettered support to that legislation. That is the case with this piece of legislation.

We have seen urban sprawl taking place, and members have made reference to big-box stores around our communities. That development seems to take place at the periphery of the city. It starts tugging at the edges of the city, and soon there is a person on council who will be calling for expansion on to adjacent agricultural lands. The part we would like in this bill is the part which would assist in promoting development within the city core and the older parts of the city, where you wouldn't have to put the new pipes out there, where you wouldn't have to gobble up agricultural land.

I know whether it's in Timmins or St Catharines or anywhere in the Niagara region, we would like to see a bill that provides the financial wherewithal to be able to develop this, because very often it's going to be the municipality that's going to have to provide assistance. They are already strapped for funds because of down-loading, and I think that's the important ingredient missing in this bill.



**The Acting Speaker:** The member for Timmins-James Bay has two minutes to respond.

**Mr Bisson:** I want to thank the member for Welland-Thorold, the member for St Catharines, the member for Elgin and—I'm missing somebody; I forget who it was—I think my friend Mr Spina, who spoke for a short time.

Essentially the issue I am raising in this debate is that I support this legislation, I'm OK with voting for the legislation and I think the legislation itself is OK. The problem is that I want the government to put forward the money necessary to assist municipalities to do the re-developments and, yes, the public-private sector partnerships that should be and can be organized to reclaim some of these brownfields.

The comment to the Speaker that there are no phones around here: I just want people outside to know there are all kinds of phones at Queen's Park and we have staff answering the phones. I just went and checked 325-8300. Nobody has called yet to redevelop Pearl Lake Park.

**Hon Mr Baird:** What's the number again?

**Mr Bisson:** It's 325-8300. I'm sure Minister Baird is going to call and say that he's now going to redevelop it. I'm expecting a phone call real quick. But up to now we haven't had a call, and that's my point.

At the end, when it comes to redeveloping a brownfield, a private sector developer looks at the issue of dollars and cents. If the private sector developer cannot make a profit because it's uneconomical, they are not going to redevelop the brownfield.

As far as the public sector, being a municipality or a conservation authority, if the cost is prohibitive, they are not going to come and reclaim that area from a brownfield to a greenfield development.

That's why I'm proposing a good idea, like many of the ideas the NDP is proposing. We're the party of ideas, and we're saying that one of the ideas you could use is to put in place a type of program that is cost-shared between the federal, provincial and municipal governments to help reclaim these brownfields. That would have been a good idea. That would have been a positive step.

We're hoping the government will listen to us, as they will listen to us on the PST rebate. I'm sure at one point they're going to agree with us and reduce the PST in order to assist the retailers of this province in getting back to the place they deserve in the economy.

1610

**The Acting Speaker:** Further debate?

**Mr Bradley:** Some of us did not anticipate we would be debating this this afternoon, not that that often makes a difference as to the content of the debate, but it really does with this particular piece of legislation. When this bill came forward—and I sat in some of the committee hearings on it—I was hoping to be able to support the bill, to give it wholehearted support. Indeed, initially, I thought it had good possibilities; and it did, because there are some of what I consider to be positive elements in this legislation. We had people who came before the committee and made some good presentations. I had anticipated that the government, having heard those

presentations, would then make the necessary amendments to the bill which would allow me to give my wholehearted support for it. So let me say my support is half-hearted. That doesn't mean it's going to get my vote, but I want to be positive enough to say that there are elements in this legislation worthy of support. I think there's a consensus among the three parties on the advisability of proceeding with many of the elements of this legislation.

One of the problems I foresee—and I heard this from some of the developers who came forward to the committee. They were eager to see some fairly rapid approvals of their proposals for development on the brownfield sites. We recognize that we want to ensure that the kind of development that takes place is not going to be detrimental to the area and that, indeed, there's an appropriate cleanup of the site. What they were afraid of, those making representations on behalf of potential developers, was that the Ministry of the Environment, with its severely reduced staff and financial funding from the provincial government, would not be able to provide the kind of timely approvals which would allow this kind of development to take place, because indeed development of this kind should take place.

The reason I say that is that if you look at virtually any community in Ontario, we see urban sprawl taking place. I'm talking now about the larger urban areas in the province. Instead of redeveloping that which is contained within the present boundaries—and I might add there is a debate in Guelph over this, where one of the city councillors is fighting Wal-Mart in that particular case—instead of the redevelopment of those areas of the city where people already exist, where they're already living, where there are already services, whether they are hard services such as sewer and water and garbage services, things of that nature, or softer services such as parklands, there simply is not development taking place there, and there's a reason: the land is contaminated.

In the olden days it was considered appropriate for development to take place adjacent to the factory in which people worked, for instance. It made all kinds of sense, people believed, because they could walk there. They didn't need a vehicle; they could walk to the factory. It was close to home. They could leave five or 10 minutes from starting time and be there quite easily. On inclement days it was very convenient. So in most of our communities we see these old factory sites that are in existence, or sometimes it's what I used to call as a kid junkyards that you would see, where you had old vehicles and drums and things of that nature stored in the area. They are good places for development, but you can't develop unless the land is appropriately cleaned up. Developers looking at it began to say, "This is impossible. The cost and obligations I will have of developing this land are going to be too great to make any sense out of it." They would not even make a purchase because the banks would not finance it.

When the legislation was brought forward, when the committee had its hearings, I think a lot of good things

came out of those hearings and I think there's much in this legislation, I say again, that will militate in favour of the kind of development we want to see, because heaven knows, this government has permitted urban sprawl to take place to such an extent that we have some genuine problems.

I was listening to James Kunstler the other day making a speech at the University of Toronto. I've heard him speak before. He's a well-known author of books such as *A Geography of Nowhere* and *Home from Nowhere*. He's a critic of the kind of urban sprawl that we've seen take place in North America and is very much in favour of communities that make sense, livable communities that make use of existing services and that have architectural merit to them. He's given many examples over the years of those communities.

Again, I look at my own area of the province, and other areas of the province, where we see an expansion of boundaries being asked for. When I was on city council from 1970 to 1977, many years ago, this was indeed an issue that was emerging. I remember fighting at that time against the forces of development and those who couldn't wait to pave that good farmland around the city, against a major expansion of our boundaries. A compromise was reached, not one—

*Interjection.*

**Mr Bradley:** Sorry, what was that?

**Mr Garry J. Guzzo (Ottawa West-Nepean):** Where will the grapes come from?

**Mr Bradley:** Well, that remains to be seen. I think it will come from this brownfield redevelopment.

So I held out against that. I fought—

**Hon Mr Baird:** I won't even eat those grapes. I don't want—

**Mr Bradley:** The member makes a very good point because the question starting out from the two Ottawa members is: where will we get the good grapes if we keep paving those lands? That's a good point. We need that for grape land. We need it for peaches and pears, cherries and plums, apricots and apples, vegetables. We need it for all of those products.

You see, in the Niagara Peninsula you have a unique circumstance. You have soils which are conducive to the growing of those crops and, as important, you have a micro-climate which allows for the growing of those products for many more days than would be possible in other areas. It is known in our area, for instance, that on average there are about 27 more growing days on top of the escarpment than below the escarpment. The point I make is that it's important not to allow the sprawl out onto that farmland.

Now, there are members of municipal councils down there who can't wait to pave everything, and when they've got everything paved—from the edge of Metropolitan Toronto to Fort Erie, and from Lake Ontario to Lake Erie—they will have reached paradise, because we have to grow and have new jobs, as they always tell us. The farmland will be gone if they get their way.

The people who come from Toronto to visit and to buy the wine and other products in the area, don't come to see acre after acre of paved land. What's attractive about the Niagara Peninsula is that within our boundaries we have large tracts of agricultural and rural land. That's why the people from the big city come down to the Niagara region, to enjoy that.

Brownfield development, in my view, militates in favour of the kind of development, "smart growth" if you will, that we want to see. Now, this government, after allowing the paving of much of our farmland, after allowing urban sprawl, likes to use the terminology "smart growth." Well, we've had anything but that within the last half-dozen years in Ontario.

What is needed as well, to go complementary with this particular piece of legislation, is a strong provincial Planning Act. You weakened it. The previous government brought in some amendments which were positive in terms of trying to have the province guide development appropriately right across Ontario. This government weakened that legislation and the developers couldn't wait. They were applauding. I think if you were to go to the Tory fundraisers—I don't go there—those developers would be there giving a standing ovation to the Premier and other ministers for being kind enough to allow this urban sprawl that allows them to gobble up farmland and environmentally sensitive areas.

1620

My view is that our communities should be looking back to their cores, to their downtown areas, trying to redevelop them to get people to live in our downtown areas, to buy in our downtown areas so that we can have a combination of service, of retail, of professional offices and of lovely new developments, particularly for seniors who want to be near those sites in a downtown area, with restaurants and taverns and things of that nature. That's what can revitalize our cities. Unfortunately, what we're seeing instead is a constant pressure to move out.

My own city council passed a resolution last summer saying that they wanted the province to bring in legislation or guidelines to ensure farmland was protected. The real test of that is when the local developer comes in and says, "Can't I just have three more acres of land out in the area that is not within the city boundaries?" Of course when councils capitulate to that, then that means all the resolutions passed, whether in this House or at municipal councils, mean nothing if we're allowing them to convert to golf courses or to either residential or commercial or industrial development on lands already designated for farmland. The argument that's always made is the argument we've all heard, and that is, "Well, they're not farming the land now." Of course not. The developer buys up the land, lets it lie there or allows an obnoxious use, and then the council says, "Well, if it's not farmland, I guess we better convert it to some commercial or industrial land."

This legislation gives a different option for them. I wish it were more complete. I wish there were the kind of



funding options in this legislation that would allow me to support it.

I know the bill is going to go through in any event, and I'm not going to be one who's going to be going across this province denouncing the government for this legislation, because there's enough in it, compared to much of the legislation this government passes, that I think is relatively benign. Besides, as some members have noted, heaven knows there's far more to talk about with this government than this piece of legislation. I would not stray into those areas because I would be straying outside of the contents of this bill.

Dianne Saxe, who is a former Ministry of the Environment lawyer and works for a law firm in Toronto today, I thought made a compelling argument in a Toronto Star column. She appeared with some other people before the committee of the Legislature. This is where I wish committees could be more effective; in other words, I wish the whip were off the committee, meaning, for the people who might be watching, people in various political parties weren't obligated, in the opposition, to automatically oppose the government, or with the government members, to automatically support whatever the government wants, because I think some of the suggestions made were good suggestions. I suspect we've seen the government adopt some of those, but not enough of those.

I heard some reference to SuperBuild. I know my friend from Scarborough-Rouge River, after I've completed my remarks and we come around again, will want to make a good comment or two on this legislation, because he would recognize that. There was talk of SuperBuild funding. SuperBuild is essentially the packaging of every other grant the government used to provide into something called SuperBuild.

As a former Minister of the Environment, I well recall that we used to have, to invest in Ontario, somewhere in the neighbourhood of \$200 million a year for water and sewer projects alone. An application would be made to the ministry, ministry officials would make a recommendation and the funding would proceed. There was no political component to it, because I used to listen to my own members in my own caucus say, "Why is so much money going into some of those opposition ridings and not into our ridings?"

The answer would be because this was a totally objective exercise. A person I remember was Noble Villeneuve, a former government member. Mr Villeneuve used to have a number of applications coming from his area, and those applications would, if they merited it, get approval. The same was true of various ministries.

Now we've got one individual or a small group of individuals in charge who will decide, I suspect on a political basis, to allocate those funds. So you've got municipalities fuming and competing with one another. You've got some people saying you can't use it for arenas and others saying you can. I see in Peterborough—because one of my own councillors asked if

you could use it for an arena—it mentions a \$5.6-million SuperBuild grant from the province toward the proposed \$14-million sport facility. Mind you, the proposal for that was located at the community college. They're afraid they're going to lose that.

But the point I'm making is that if municipalities are going to have to look at all of their priorities, few of them are going to be getting funding for brownfield development. Sometimes, as I think the member for Timmins-James Bay said appropriately, it's going to be the municipality that's going to redevelop that property, and sometimes it can be done successfully.

What I want to say about this legislation is that I think it has engendered a lot of interest and a lot of support. It falls short of what we would like to see. Again, for emphasis, I will say we need a lot more staff and financial resources in the Ministry of the Environment. One reason we will need those resources is to look at and evaluate these lands and then process approvals in a timely but thorough fashion. We don't have that today. We will need some money for grants to municipalities or partnering with municipalities for some of these developments. We don't see those funds coming at the present time.

So I look at the government, instead, wanting to give away over \$2 billion in a tax gift to the corporations of this province. I know you would have watched with interest, Mr Speaker, while we're talking about financing, the finance ministers heading to Ottawa last week and whining to the federal government. I thought two of the worst cases were Ontario's Mr Flaherty and British Columbia's Mr Collins, both saying to the federal government they wanted more money for health care. If I were a reporter—and I didn't hear any reporters ask this question in Ottawa—I would have said, "This is odd. Ontario and British Columbia are giving away hundreds of millions of dollars—in Ontario's case, billions of dollars—in tax cuts, but you want more money for health care." So the question is, don't you really want that money to finance your tax cuts because you know you're going to lose that revenue? Unfortunately, nobody seemed to ask that question or, if they did, it didn't appear in the paper or you couldn't hear it on the electronic media.

That's where we can find these funds to invest. I think instead of giving the money to the corporations, we can invest in our communities, because whether it's Stratford, St Catharines, Toronto, Scarborough or any one of the communities we represent—I was down in Lambton and I recall seeing some older sites in Lambton that I think people would like to see cleaned up and redeveloped—

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** Be careful. Easy.

**Mr Bradley:**—I think the member would agree with me—that would be eligible for this kind of development, and he'd want to see it happen. But it won't happen under the provisions of this legislation. It'll be moved along a bit. I'm happy about that. But if we're going to do the job, we should do it thoroughly and compre-

hensively, and in my view, this legislation falls just short of that mark.

I hope that the government, when it brings this legislation back again, because it has the power through its majority to pass it in whatever form it wishes, will make sure that it makes the changes advanced at committee, which were recommended by the opposition. Then I would think we would have a complete package that could genuinely move along the kind of brownfield development we'd like to see.

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**The Acting Speaker:** Comments and questions?

**Mr Marchese:** I want to congratulate the member from St Catharines for finding the time to speak, making the time to speak and taking the time to speak on bills that are important to the members of the opposition, but particularly to him. He and I have this ongoing struggle for finding time in this House to debate bills. We need the time and the fullness of it to be able to properly respond to bills. Often, these opportunities are taken away from us, aren't they? They are, for a variety of different reasons—nothing you need to concern yourselves with, people of Ontario, but it's something we understand, that we need to respond to bills on a regular basis.

What he said about this bill is that it's a benign bill, something that he and his party can support, and similarly, something that we, as a party, can and will support as well because it's a bill that is relatively good. There are some shortcomings. I've got to say, member from St Catharines, that the government did accept some of your amendments in committee, which, by the way, were similar to some of the Conservative amendments. So they did agree to make some amendments, which helps make some of those aspects of the bill a little bit better. I wanted to say that.

But one of the things the member from St Catharines said as well was that without the pecunia that goes with the development and cleanup of these sites, without the money, there is only so much you can redevelop. While the cities have some money, they are certainly not full of it to be able to do the kind of redevelopment that is required. So unless you have the government enter into this field with some level of support, without simply saying to the cities, "You can do it," there is only so much redevelopment that can be done.

**Mr Doug Galt (Northumberland):** I'm really surprised that we're still here debating this particular bill, an excellent environmental bill, with the foot-dragging that's going on, particularly with the third party. After extensive debate, I would think they would be very anxious to get on with this environmental legislation.

It's obvious that most environmental legislation has to be brought forward by a Conservative government. You can look at various countries and various provinces, and it ends up that it's Conservative governments that implement environmental legislation.

I was interested in the member from St Catharines's comments about the need for more staff and the need for

more grants. I can understand where he is coming from, the Liberal view. I follow the philosophy. I also follow his concerns about giving away money for tax cuts, as he says. But you know, some \$15 billion more in revenue has been coming in as a result of stimulation of the economy in the province of Ontario. I suggest the reason for that stimulation of the economy has been, indeed, those tax cuts.

The member was referring to how no one asked this question. I would suggest the press now understands economics and how you stimulate the economy, how you turn it around and how when you do, more revenue comes in. I would suggest maybe that's why the press didn't ask any questions at that time.

**Mr Alvin Curling (Scarborough-Rouge River):** I could spend my time commenting on what the others on the Conservative side said, but I won't do that. I want to take the two minutes to make them appreciate what we have here in the House, especially a former Minister of the Environment who has a sterling record. I think at this moment they should listen carefully to what he said, because when I speak, I will go more extensively into the fact of the rigid and proper way that you settle a process to make sure you have environmental assessments and good land to build on.

These individuals on the Conservative side have almost said, "Sometimes money gets in the way of safety, so what we should do is forget all of that. Just give them the contaminated land and let them develop it. So what?" Because of course many of their friends are waiting to develop all these contaminated lands. Later on, we are going to look back and say to ourselves, "Who allowed all this to happen when we had people being sick?" The fact is that people are unhealthy on these lands because they decided not to spend enough money for a proper environmental assessment, proper checking and what have you. When I was Minister of Housing and had to go through my Minister of the Environment, I had to be very rigid to make sure that I passed all those tests. Now they're throwing that out the door.

I want to say to them, if they are listening to the former minister—and I hope he becomes the next Minister of the Environment also—we could learn a lot. I think what he has pointed out here is that you can't compromise a situation by pulling away funds and taking away inspectors. What is going to happen is you're going to have one hell of a situation where later on we may be paying for it in deaths. We have looked at Walkerton and have seen what happened when we pull back the resources that are necessary to do so.

I'm trying to say that enough time is not being spent, and of course no funds have been there. Forget about SuperBuild.

**Mr Bisson:** I want to say to the member from St Catharines that I appreciate him getting up and speaking in the House, because I too, like my friend the member from Trinity-Spadina, believe that this legislative process is important and that members must participate. Far too often in this place we have seen where there's been a



reluctance on the part of the government to debate certain bills, for whatever reason. They want to get out of here fast or they don't think their bill is important enough to speak to; I don't know. But I think it's important that we get up, and I want to commend the member from St Catharines for, yes, having decided to speak but, more important, for having taken the time to speak. I always enjoy his comments.

The other thing I want to say—and I don't want to see this show up in any of your campaign literature, because if it does, I'm going to be somewhat upset—is that I do recognize the member from St Catharines as being one of those members in this House, like Marilyn Churley, who gets up on numbers of occasions and speaks with some authority on environmental issues. I know that's been one of his passions in this Legislature. So I always appreciate the comments that the member from St Catharines makes on those particular issues, because I know that's a passion of his and he knows of what he speaks.

I know that he agrees with me, because he said it in a speech today, on the issue that you've got to put the dollars into this whole process, because otherwise brownfields in St Catharines, Toronto, Timmins, Hearst, Kapuskasing, Constance Lake or even Fort Albany, where we have such problems with the old air force base that left PCB contaminations—those things don't get cleaned up on their own.

I give you another example. We're doing some brownfield work up in Fort Albany. It wasn't until we got involved in getting the federal government to cough up the dollars from the Department of National Defence in order to clean up the PCB sites so that they can redevelop that for their school area that we've been able to get that done. How? It's when we were able to get the dollars. So if you don't tie the dollars to these kinds of pieces of legislation, at the end of the day you're not going to do a heck of a lot.

**The Acting Speaker:** The member for St Catharines has two minutes to respond.

**Mr Bradley:** All of the members have made appropriate comments and have touched on a lot of the issues that are necessary in dealing with this legislation. What I think a lot of us would like to see, and we've had it in Ontario in years gone by, is an environmental security fund. That is a superfund which is not SuperBuild. In the United States, the contributions were made from the polluting companies. It was used for environmental cleanup. In many cases, we can't identify the people who are responsible for the contamination, or it's a matter of not being able to get blood out of a stone. So somebody has to assume the cost. In many cases, a developer will say, "It will be entirely prohibitive to proceed with the project if I have to assume the entire cost." That is where we can help to make sure that development takes place in the older parts of the city.

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We now pay for services—the province makes contributions, or has in the past—for highways and for other hard services such as water and sewer that go out into

rural areas that become suburban areas. So I think it is appropriate that financial investment be made in the older areas of the city where contamination takes place.

I know the member for Scarborough-Rouge River, who has had some experience as Minister of Housing and some experience in his own constituency with contaminated lands, would know that you have to ensure that those lands are completely cleaned up before, for instance, a residential development takes place, otherwise the long-term consequences can be difficult, both in terms of health and finances.

**The Acting Speaker:** Further debate? The Chair recognizes the member for Trinity-Spadina.

**Mr Marchese:** I've got something to say, Jim. I want to take that opportunity as well, like Jim Bradley, because when you are here in this place and there's a bill that needs some member to speak to it, here I am.

**The Acting Speaker:** My apology to the member for Trinity-Spadina. It's not your turn.

*Interjection.*

**The Acting Speaker:** There are two of us standing. One of us is out of order and it's not me.

The rotation would go from the Liberal caucus to the Conservative caucus and then to the Liberal caucus, so after I check the Conservative caucus, then I'll continue the proper rotation. I apologize for my mix-up.

Further debate? The Chair recognizes the member for Scarborough-Rouge River.

**Mr Curling:** I appreciate the opportunity to speak on Bill 56, the brownfield legislation. I think of course it's the appropriate direction in which the government would like to go, but like any legislation or effort, we must put in the resources, and I'll get to that sooner or later.

The fact is that there are many lands lying around that we could develop, in view of the shortage of affordable housing that we have in this province, especially in the major cities of Ontario. One of the things we could do is look at some of those lands that may have some sort of contamination and been sitting idle for a long time.

I want to applaud the government for looking at these lands and making sure that we can have a clean environment and a clean piece of land on which to build, but the fact is that one of the problems of this legislation is that there are not sufficient funds coming from the province itself to do so. I thought legislation like this would raise the interest of the Minister of Housing and the Minister of Community and Social Services, who have been quite short in delivering affordable housing and accommodation to those who are in great need. When I looked at this I realized that what is really missing from all this is adequate and sufficient funding with which to do so.

They talk about SuperBuild and that we have to have matching funds. They have passed housing over to the municipalities, so therefore the municipality is the one that has to come up with the money before it can get money from the smart fund or whatever they want to call it. So what is it going to do? It's going to lie idle. Or they will ask the private sector to clean this land up. You know what's going to happen when you do that? First the

private sector—and I don't blame them—will look where they can maximize profit on any sort of purchase or any endeavours they make in business. So they will not make the real effort to make sure that these lands are clean.

I want to just leave that alone and come back to an experience I had as Minister of Housing in the great riding of Scarborough-Rouge River. Years ago, as you know, the federal and provincial governments owned a lot of land in that area and they built affordable housing there for individuals. But what happened was that it was built on contaminated land. There was radioactive soil there. It was built by a Conservative government years ago. The people appealed when they found out that the land was contaminated, but they would never even try to address those individuals who were found to be living on radioactive soil, high radioactive soil, although I should say to those individuals that when we tested it, it was at a level that was considered not dangerous to cause any health hazard in the short term, but somehow dangerous enough not to be lived on, and that the soil should be moved.

It took us years when we were in opposition to even get the attention of the Conservative government. When I became the member of Parliament in Scarborough North, as at the time it was called, and then also assumed the position of Minister of Housing, I had indicated to my cabinet that what we should do if we couldn't move the people was to move the soil. That cost was enormous, but we were committed that safety was first and the health of our citizens was primary in this endeavour. This government doesn't think that way. You would be extremely concerned about it, Mr Speaker, and I know the kind of motivation of which you come from about individuals.

When I approached the cabinet about moving these individuals and buying those properties from those individuals, because we were the government—and the Conservative government of the time was the one who built those homes on contaminated soil—that Minister of the Environment of whom I spoke earlier on, Mr Bradley from St Catharines, was very rigid about—even when we moved those individuals and bought those homes, he was insistent that that land should be clean before we built anything on it again. We had removed the soil, and of course the government of the day—that's the Liberal government, the David Peterson government—came forward that day and put enough money in place not only to buy the homes from those people, not only to pay for the removal fees anywhere in Ontario that they would like to go—anywhere in Canada, we said, that they would move, we would pay for that—but for any incidentals that had caused that inconvenience. We also paid for that, but also to remove that contaminated soil. To do that, of course, cost a lot of money, but the Liberal government of the day did not concern itself with what were the costs monetary-wise. We were more concerned about the health of the citizens, and we did move that soil.

Here is where we had full co-operation. We then went to the federal government, because they also were in charge of moving that kind of soil, and with their co-

operation we did move the soil. What happens today—we have in my riding a safe area in which people can live, in the McClure Crescent area, and people are quite happy. Those who have moved are happy about their new accommodation. Those who have moved in are also happy with the uncontaminated soil on which they are now living.

But that is not all. My riding also finds itself right now in another situation where fly ash is evident in an area where some development is going to happen. I wrote to the Minister of the Environment to indicate to me if this is a safe area on which to build and for an assessment of what the seriousness of the fly ash would be. I got a response from the minister that it was going to go through the normal process to make an assessment. But what concerns me is that I got the feeling that the private sector which is going to build there is responsible for moving that fly ash. Although I am not at all questioning the motive of the private sector that he or she would like to do a good job, I would like to see some sort of responsibility, some monitoring of how this would be done. But from this legislation, it seems to me this will not take place.

I'm not at all impressed with the record of this government in environment. You have seen, of course, the Walkerton situation where the disaster, as a matter of fact, led to deaths there, where of course they have not had enough inspectors to carry out the routine proceedings of checking the water.

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Maybe that is only in some places or that place alone. But there are many other places where the cutbacks are happening with this government, all in the interests of saying they want to balance a budget on the backs of the poor. Who suffered in all this? Families who have been mourning and will continue to mourn the loss of family and friends who have died in that process.

So this government's record of environment doesn't really come up to match at all. It's of great concern to the Liberals here who have put forward many times to this government how we should deal with environmental concerns. Our advocate, Mr Bradley from St Catharines, and many of our other colleagues here have pointed out to this government some of their concerns. How do they respond? They would respond by shortening the debates, with cutbacks of money and by saying, "We want to get on with development at all costs." I'm extremely concerned that this is the wrong way to go. Long after we are gone, you see, long after the Bradleys, the Conways and the Curlings and all will have gone out of this Parliament, maybe in 20 or 30 years from now there will be a debate in here about people who are living on contaminated soil who are sick from that. They will be wondering who the Speaker in the House was that day who allowed the shortening of debates on the full weight and the responsibility of legislation like this. Who was the Premier of that day? Who was the minister of that day? And they will say, "They are long gone and maybe dead." Who'll be paying for that? Those new parliamentarians, 30 years



from now. And who'll be paying worse for that? Some family sick from the contaminated soil or from an area in which they were allowed, or for which this government has allowed the private sector to take responsibility for what governments should do.

Sometimes I think this government doesn't understand that they have a role in this province. They feel they should be out of any role of managing anything at all and hand it over to the private sector. As the Premier of the day said, his role is to make sure that government comes out of everything. He doesn't want to have the government around. I can't remember; I'm just paraphrasing at the moment. That was his intention. But what that does is allow the private sector, whose motivation solely is profit—at the end of the day they are not in there for their health; they're in there to make money. We're not in there to make money; we're making sure that our nation, our children, tomorrow have a safe environment in which to live, a place that is not contaminated and that they can say there was a responsible government that went along here.

As a matter of fact, the pages who are here today may recall this, because one or two of them may be here as members of Parliament and say, "I recall that there were members and individuals inside this House who were telling this government to slow down a bit to make sure we have adequate money and resources available to have clean water, to make sure we have good land, uncontaminated lands to build on." Maybe some of them will be governors of banks, accountants, doctors or members of Parliament and they will say, "Here we are today. I heard that debate. But my golly, you mean they did push it through, with all that emotional talk by Mr Bradley from St Catharines," and then the members of the Liberal Party wanted to appeal, who not only wanted to but who appealed, to this government and said, "Listen, there are more resources than we need here," and it passed.

Maybe I'm not speaking to any of the members here at all. I'm going to speak to those young people who are here today to recall that in the stakes of today you will be the ones who will be paying for that maybe through bad health, bad education, because they put bad legislation into place. You must hold us accountable, as young as you are, and you are now representatives of millions of young people outside because you had the opportunity to listen to all of this first-hand. These young people will have heard first-hand the appeal to this government and the way it's going. They will hear how a government treated people who are disabled, discouraged, hungry and without funds and see in what rigid, morbid ways this government went about its legislation, how they saw money before they saw health; how they believe, why put inspectors in place, because it costs too much; how they were saying that the Liberals over here were saying, "Spend, spend, spend," and we said, "Yes, spend it on those to protect our young people, spend it on those to protect our fathers and mothers and everyone, because that's what we're there for." That is why they collect taxes, and they abdicate their responsibility.

They see it this way: "Let's give it back to them. Let's give them back their taxes and say, 'You go out and find ways to make sure your land is safe, to make sure your water is safe to drink. You do that.'" This government over here, my young citizens, has abdicated its responsibility, has refused to do the job that it is due to do. Furthermore, not only that, for us to speak on their behalf and to point out those concerns, what have they done? They have cut us off from speaking and said, "You only have a limited time in which to speak, because you know what? They may just about convince us," just like when you hear the Minister of Community and Social Services at times talk about how many people are not working and how many he got off welfare and how much we have saved and what have you, because we have to save money, not to save the lives and the welfare of individuals but to save money.

That is why individuals like those in this government will take millions of dollars and give it to one company and say, "Tell us what to do." We were telling them exactly what to do. As you heard, my friends, they give consulting fees to that one company to tell them what to do. We are telling them what to do, because each day every one of us is facing thousands of people. Those are our constituents. Your mother, your father, your uncle, your brother—everyone—is saying, "We have concerns about where we live and how we live and we want government to put proper regulations in place." Putting regulations in place and making laws can be good. That's only half the battle. Putting enough resources in place with which to carry out those laws is important. In other words, put inspectors in place to make sure the land that we are going to assess or inspect is done to the level where we can call it safe.

I appeal to this government in their last few days of rule, that as they go out a couple of months from now, they can still do something good. They can bring about good legislation, and not only in words but in all sorts of financial resources that are required to carry all this through. That is reflected all across what they do. It's no use to bring that in place and find out that what is happening is a lack of resources to do that.

One of the creative ways in which they try to abdicate their responsibilities is the SuperBuild they talk about. They put big lumps of money over on this side and said, "You may get it if you can match it over here," and then they pass the responsibility down to another area, to the municipality, and say, "Now you're responsible for housing, now you're responsible for water, and the only way you can get money to help yourself is to find enough money on this side," and in the meantime, they restrict those municipalities from acquiring funds from taxes. So it will never be done.

There you are. The money is sitting over there, big photo ops each day. Mike Harris and many of the ministers are standing for these kinds of photo ops and saying, "Look what a good job I have done. Look at this big cheque I have."

One of the things I want to point out to you is that you see these ministers each day going out with big, huge cardboard cheques. You should all be ashamed of yourselves. They would say, "We just gave the police \$2 million," or, "We gave this individual \$2 million." The bottom of the cheque will be signed "David Turnbull" or whoever the minister would be. You know what? None of those ministers can sign a cheque. It's no good. If you put that cardboard in place, it would be thrown out. It is not a cheque. Won't you wake up and find that out? People have seen you already. You've got no clothes on; the emperor has no clothes. They know that those cheques are no good, but it's a great photo op. I have never received a cheque in the mail from the government with one of the minister's names on it—never.

What do they do? Why is it the other ministers are signing those cheques, that cardboard stuff that is no good? It's a photo op. So I'm saying to you that what you put in place must be real. Stop this mockery about it all. People are seeing through you. I'm giving you the opportunity; we're giving you the opportunity; Ontario is giving you this opportunity. You've got a couple of more months in which to do something good. You've got a couple of more months in which, especially in this legislation, to see that in many of the areas in which we can have affordable housing built on some of those lands that are contaminated, you put the resources there.

1700

Put the resources in that and spend the money. Don't ask the private sector to do that, because what they will do is limit the resources to make sure they can have access to build on these lands, or as my colleague from St Catharines said, they will sit on that land until they think you've forgotten, and then build it anyhow and say it has reached an equivalent of being able to be built on.

We will not support this legislation. The fact is that although it may look like you have been going in the right direction, we saw you coming way down the road, and you've meant no good with this. It's only a show. There's still a little time, because you've got all that money. Stop giving it away to consulting companies. Do something with it. Do something good about it. Don't let the McClure Crescent and the radioactive soil happen again, as you did years ago, your government, and then we, the Liberal Party, had to come and clean that up. That's why we talk about good environmental laws. That's what you should do.

**The Acting Speaker:** Comments and questions?

**Mr Kormos:** I regret that I may not have a chance to speak to this bill today, but I want to tell you that—

*Interjection.*

**Mr Kormos:** Well, Mr Marchese from Trinity-Spadina will have an opportunity to speak to the bill. He brings to it, I suppose, a big-city perspective. In comparison or in contrast—

*Interjection.*

**Mr Kormos:** Look, we know this has more than a little bit to do with the waterfront development, for instance, the Harbourfront development down here in

Toronto. I've got to tell you, though, that the folks where I come from understand that Ontario does not begin and end at the intersection of Yonge and Bloor. People down in Welland, Thorold, Pelham and St Catharines live in what we like to call "the real Ontario." It's small-town Ontario.

I want to tell you, those people fought when this government was going to try to create a megacity and they won that fight. Every week that passes since that victory, the residents of the communities down in Niagara recall with pride their resistance to this government's agenda. This government wanted to turn them into another big parking lot for Toronto, another big suburb, the Scarborough of the south. Scarborough is a great community, but the folks who have to commute to and from Scarborough to downtown Toronto and have to pay some pretty outrageous rents, especially now with the abandonment of rent control, know exactly what I'm talking about.

Communities like Welland, Thorold, Pelham and St Catharines are eager to truly have partners with the government that will help them meaningfully deal with the brownfields situations they endure.

*Interjection.*

**The Acting Speaker:** The member for Nepean-Carleton, come to order.

**Mr Kormos:** This bill will provide them some modest avenues, but at the end of the day, it continues to deny them the resources they need to remediate tainted land and turn it back into productive land.

**Mr Beaubien:** It's a pleasure to rise and speak on Bill 110, and I'll repeat, Bill 110, for the people who are watching at home, because I'm sure that if they're listening or at home and watching, they're probably wondering what we are talking about. We're speaking on Bill 110, which is the Quality in the Classroom Act, 2001. I hear the member from Scarborough-Rouge talk about clean land, clean water—

**Mr Bisson:** On a point of order, Mr Speaker: Could you make sure that we understand. Have we changed the order all of a sudden, because I just heard the government member switch the order very quickly here?

**The Acting Speaker:** That is not a point of order.

The Chair recognizes the member for Lambton-Kent-Middlesex. He has about a minute and a half left.

**Mr Beaubien:** Anyway, for those who are listening, people are probably somewhat confused. I think when we look at the things you talked about today—and you talk about being cut off in debate in the past. When we talk about the issues that you were talking about, as opposed to the issues that we should be talking about, there's no wonder that sometimes you are cut off debating in the House.

**Mr Bradley:** I thought the member brought forward the issues related to this legislation extremely well. I didn't know we had switched to Bill 110. I know originally on the order paper, for people who may be watching at home, the government suggested it was going to be dealing with an education bill.



Of course, the member for Scarborough-Rouge River was speaking about the bill we are dealing with, which deals with brownfields. He knows from his experience what the problems are, what you're going to confront. It takes an investment of funds—and I think it's a good investment; I would applaud the government to make this kind of investment—to ensure that these properties are cleaned up so that they can be used for municipal purposes, perhaps provincial purposes in some cases or for private purposes. Sometimes there is going to be a component where the provincial government may have an opportunity to make part of that investment, probably in a partnership in many cases, probably not on its own, and this government has been encouraging partnerships. So the member makes a valid point there.

He also knows that within his riding, and he mentioned McClure Crescent, for instance, that there is sometimes a need for a special cleanup. In this case, it was radioactive material; in other cases, it may be other contaminants. If we're to have development on any of this land, we want to ensure that there's nothing left on the property that might impact upon the health of the people who reside there. The most obvious case you and I would know, Mr Speaker, would be if there were an old municipal dump and you built on top of that. We know there's methane gas that comes out of that. We want to have the Ministry of the Environment with a full staff and a full complement and all of its instruments down evaluating the land and then processing an approval. You need the staff to do that, you need the financial resources, and the member is right when he contends that.

**Mr Bisson:** I kind of heard the debate. I heard the member who was speaking from the opposition party, Scarborough, speak to what is Bill 56, brownfields. I guess if you add 56 and 56 together it's close enough to 110 to allow the member from Lambton to say we were speaking to Bill 110. It's a new sort of math that the Tories have. So I thought that was kind of an interesting comment.

**Mr Kormos:** Was the member for Lambton embarrassed?

**Mr Bisson:** I don't know. I can't quite figure out what happened there. Anyway, that was kind of interesting. He was speaking to Bill 56.

I just want to repeat for the record, it is important to say that we, as New Democrats, support generally where the legislation is going and we will vote for the legislation. But—

*Interjection.*

**Mr Bisson:** It's my two minutes, House leader. Just wait a second, all right?

I was just going to say, we generally are in support of the legislation and we will vote in favour because we think the legislation itself is workable; there are a few problems we have to work on. But we say, as the New Democratic Party, the party with ideas, one of the ideas that you can do to add to this particular bill would be to put in place a financial vehicle to assist municipalities and, yes, private sector-public sector development of

brownfield developments. As an example, you could set up a program that would be cost-shared by way of the federal, provincial and municipal governments in order to assist in spreading the cost over a greater number of partners when it comes to redeveloping brownfields. We think that would make it interesting for municipalities. The federal and provincial governments would get something.

There's a point that needs to be made: those industries that caused the brownfields paid taxes to both the federal and provincial governments for years. So we also have a responsibility to put some money back. We're saying, as the party with ideas, the New Democratic Party, you should at this point have the province pay up its part because we certainly profited by those companies polluting. We should assist—

**The Acting Speaker:** Thank you. The member for Scarborough-Rouge River has two minutes to respond.

1710

**Mr Curling:** That's why I enjoy this place, as a place of democracy, where one can really speak one's mind. At one time the third party was rigidly for protecting the environment and we, the Liberals, were saying that this is completely inadequate legislation. I understand now that the NDP will be voting with the government for this kind of legislation.

We got a bit tough on this government, because it's the only language they understand. We will not vote for this legislation because it's inadequate, completely inadequate to bring about safe and clean, uncontaminated soil and a good cleanup, because the resources are not there. We've got to send a clear message to the government. We will not support that kind of legislation.

However, in this democracy, one has the right to do so. As the third party wishes to do so, it is their right. But let us emphasize again—I just want to make this emphasis: even when I was a minister within the cabinet, I could not easily push anything through, although we wanted to build housing, because we had a tough Minister of the Environment. So even within the cabinet, they were saying, "No. We cannot proceed unless we meet these kinds of requirements."

It seems to me there's a difference over there. They just ram it through, of course, all in the interest of passing on their responsibility to the private sector and then let them do it. Of course, it is a government responsibility to make sure that this happened. Even if they're not putting a lot of money into it to do the actual cleanup and have the developers doing that, I think what we should be doing is having enough inspectors—and, of course, legislation that is tough enough that it cannot be bypassed in any way. I don't think this has done it. It says it, but it isn't going to do it because you haven't got the resources to do.

So we will not be voting for this. I want to thank you all for your comments.

**The Acting Speaker:** Further debate?

*Applause.*

**Mr Marchese:** Thank you, Jim. I appreciate the applause and I appreciate the opportunity to speak to this bill. I've got a mere 10 minutes, I'm told. Imagine, limiting the time that members have to speak on bills. It's insane.

**Hon Mr Baird:** I think the public would support us on this.

**Mr Marchese:** No, the public likes to see us speak. They do. I know that.

**Hon Mr Baird:** You.

**Mr Marchese:** They like to see us all speak, not just me.

**Mr Kormos:** They'd like to know what the government members have to say.

**Mr Marchese:** They would love the members of this government to speak on these bills so they could say, "Yeah, we like it for the following reasons." But have you seen anyone—quite right, Peter—have you seen any member stand up today to say that they support this bill and why? Not one.

**Mr Kormos:** Maybe the government members don't support this bill.

**Mr Marchese:** And they have to silence them, you mean.

**Mr Kormos:** Yes.

**Mr Marchese:** I don't know. But I have a mere nine minutes to say what I need to say.

I want to say to the Minister of Social Services, why is it that you've called this bill the Brownfields Statute Law Amendment Act? I've got to tell you, John, the majority of Ontarians don't have a clue what brownfields are. You know that. Why wouldn't you help the good citizens of Ontario to demystify this brownfield label that is before us? It makes no sense, because normally you guys are very good at manufacturing good titles. Normally you wouldn't call it something that the majority of people find too abstract and couldn't understand. Normally you would help them to say, "Hah! We can call this the Clean Up Former Industrial Sites Statute Law." That's what I expect from you guys, but you're failing the public. You're confusing the Ontario public. I don't get it. I want to see this Conservative government continue to demystify these bills as you have done for six years.

**Hon Mr Baird:** You wasted two minutes on this.

**Mr Marchese:** I think it's important.

I do want to say—because so far John doesn't like what he's heard, so I need to move on. We've got to please the minister; otherwise he won't stay in this place. I say to him that the majority of people who came to committee were supportive. They were, and for good reasons.

Municipalities and other associations came to support the bill because better this measure than no measure at all to deal with the issues of contaminated sites that, in some cases, are very dangerous to our health, to our communities. Better that they be redeveloped for good public use and public purposes than not to be developed. So I can appreciate the fact that the majority of people who came

in front of our committee would support the bill, and obviously they do so for good reasons.

We see this as key to revitalizing downtowns throughout the province. We see it as a way to make sure that potentially dangerous sites are cleaned up and redeveloped in ways that we hope can be appropriate developments, if not progressive redevelopments, of these sites. But we wait with good anticipation to see what some of the people who are willing to buy up these sites, including municipalities, will do with them.

We support the bill. It's not often the opposition parties say that we support a bill. I believe this is the second time in six years that I've said I support a bill that this government has introduced. The other one was the Student Protection Act. So there aren't too many times. When the government introduces a bill that is somewhat modestly good, we have to say it's OK, and that's what I obviously wanted to do with this particular bill.

There are some difficulties with the bill, some problems that I would state for the benefit of those of you who are watching. There is a provision in this bill that allows municipalities to give tax relief connected to a remediation of brownfields. The problem with this is that it enables municipalities to provide tax relief. The justification given by the government is that any site that is redeveloped, or at least developed, provides future revenues to the city. Therefore they indirectly can give tax relief because they benefit through future taxation of those sites and those buildings. In this way they justify why provincial governments are not providing any measure fiscally to help the redevelopment of these sites but rather leave that sorry job to the municipalities that are so bankrupt because of the policies of this government.

Those poor municipalities are going to have to find a way, poor as they are. Because of the downloading of so many responsibilities to the city, in order to redevelop these sites, these brownfields, they will have to provide tax relief, because there may not be any other way to entice the private sector to come in and do the job that properly belongs to the provincial level of government, which has greater fiscal policies to work with and which could provide the tax relief to those who would want to redevelop the sites. But they leave the job to the cities, and the cities, sadly I say, say, "OK, better this than nothing."

It surprises me that the cities didn't say, "This is not going to be good. We're not sure we're going to have it within our means to assist the private sector to redevelop their sites." I was a bit surprised. In Hamilton, I hear, some of them are complaining about this not oversight but measure that leaves it solely to the city to finance some of these developments.

**Mr Kormos:** In Niagara too.

**Mr Marchese:** In Niagara they protested as well?

**Mr Kormos:** They're concerned. They've been downloaded.

**Mr Marchese:** That's my point. In Niagara they're concerned, and they ought to be—that is precisely my



point—because they don't have any money to provide tax relief.

**Mr Kormos:** Not with this government.

**Mr Marchese:** I already pointed out that this government downloaded housing 100% to the property taxpayer and the tenants who pay taxes, as you know.

They have downloaded transit. Now, through their generosity, they have decided to put back some money into transit because they realize cities are bankrupt. They've taken back GO Transit because they knew the cities couldn't pay. We asked the government pointedly, "Are you taking it back to privatize?" and they wouldn't say no, which leads us to believe that perhaps they're taking GO back to privatize it, but that's another story for another time.

But they've downloaded housing completely. They've got—

*Interjection.*

**Mr Marchese:** What is it, Mr Guzzo?

**Mr Guzzo:** That's a good story. Stay on it.

**Mr Marchese:** I'd like to but I only have two more minutes. I can't take all the time simply to devote myself to this issue, except to make reference to it.

My point is that cities cannot, on the backs of the property taxpayer, continue to finance things that properly belong to you, the province; you who have the fiscal powers to raise money through the keeping of the PST at the high level of 8%, through the income tax system. And you're not even doing a good job of that because you are giving it all away to the corporate sector and to the rich Ontarians who really don't need your money, while hundreds of thousands of people are falling lower and lower in their socio-economic status. Wealthy people are getting wealthier and the people at the bottom, working people, the 50% of working people who earn only 30,000 bucks, are descending, going down, in their socio-economic status under you people when you've had such a great economy.

1720

The point is that cities are broke. They're bankrupt because you put them in that state. So you've given them the ability to be able to provide tax relief if they develop their brownfield sites. I am surprised that there weren't that many politicians across Ontario who would come to decry these measures as being insufficient, that it goes on the backs of the cities again to provide relief for the redevelopment of these sites. I marvelled at it.

All I can say is, let's see how this legislation works. Hopefully, sites will be redeveloped in our cities as a way of intensifying development so we don't have further urban sprawl such as the like of this government, which loves urban sprawl and loves the fact that people are just building outside of our cities where they don't have the infrastructure. The point of intensification and of developing these sites is so we have the infrastructure and they can build in our cities where we can accommodate them because the services are there. Let's just hope these measures are adequate. I believe they won't be adequate. I believe we are going to need the provincial government

to step in and provide the relief for the private sector to come in jointly or to come in on their own and redevelop their sites.

I wait to see that day. But in the meantime, we'll give them the benefit of the doubt and support this bill.

**The Acting Speaker:** Comments and questions?

**Mr Bradley:** Certainly from the point of view of somebody from Toronto—I used to call it "Metropolitan Toronto," but now the city of Toronto—the member from Trinity-Spadina has identified many of the problems with this legislation. We hate to harp on it, and I know he hated to harp on it when he spoke about it, but it takes an investment of funds to ensure this kind of development takes place. Should it all be government money? Absolutely not. But this government, wisely or unwisely—and I think there is some wisdom in it—has looked toward some partnerships out there between various sectors within the public sector and between the public and private sectors.

If you've got property within the city of Toronto, for instance, which has to be redeveloped, and developers, private people, look at it and say, "There's no way we're going to touch this with a 10-foot pole," then it seems to me that perhaps some of the investments the city can put in to make it a more attractive development are going to be worthwhile. You'll say, "Aren't you assisting those who want to develop land?" Well, you do that now in the following ways: we build roads, sewers and highways which now take us out into a huge suburbia that's called urban sprawl. You can also encourage development often within the confines of the older areas of the city by a public investment. Municipalities are often able to make this investment but they need some financial assistance from the province. The member for Trinity-Spadina has pointed out most appropriately the importance of having that investment—not of throwing it away in a \$2-billion tax gift to corporations, but rather investing it where it will really create jobs directly.

**Mr Galt:** I appreciate the comments made by the member from Trinity-Spadina. It was an interesting presentation. I appreciate the fact that this is indeed an excellent act and we should get on with it. I can follow where we might have a bit of criticism over the fact that it's long overdue. It probably should have come in long before we even came to government in 1995. It's something that has been happening in many other countries and states.

This is really about getting on with using land that's already serviced and is not really serving much use in a lot of communities. By getting these kinds of legislation in, we can get on with doing that. It's the kind of thing that is really going to be helpful in the province of Ontario to create jobs. So I think the sooner we get on with voting on this and encourage the support—I'm sure the opposition can see the real advantage in this bill.

**The Acting Speaker:** The member for Trinity-Spadina has two minutes to respond.

**Mr Marchese:** I appreciate the comments made by the member from St Catharines. I don't know about the

member from Northumberland because I'm not sure what he was saying by way of my comments.

The point is that there have been a number of measures taken in this bill to make sure that redevelopment of these contaminated sites happens. There have been some liability protections built in. We hope they will be adequate to get the private sector to come and redevelop these sites. We don't know yet. But you have built in some liability protections which you have amended in the clause-by-clause, and we say, and we worry, that it may not be sufficient, but we don't know. We hope it will be. But the other measures that we've talked about have to do with provincial involvement in the redevelopment of these contaminated sites or the cleanup of these sites.

My point is that the Americans have invested millions and millions of dollars in their cities to deal with issues of transit, to deal with issues of housing, to deal with general infrastructural kinds of programs—millions of dollars spent by the federal and state governments and the city levels. This government is doing so very little that it amazes me nobody has screamed against the lack of activity by this government.

The Americans have what's called a Community Reinvestment Act, which obliges banks to invest a certain percentage of their money in those communities so they can revitalize their neighbourhoods, and it's not just for brownfields but everything in those low-income and modest-income areas. We don't even have such measures. The point of these measures is, you need state involvement, provincial and federal involvement, and we have so very little of it. We hope your bill will be adequate. We'll wait and see.

**The Acting Speaker:** Further debate?

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I too appreciate speaking on this bill today. There are times that you prefer speaking on some bills more than others, and this one is really close to my heart. The reason I say it's close to my heart is because I want to see if this government is going to take its own responsibility.

We are going to oppose the bill. For sure, the Liberal Party will not support this bill, neither Dalton McGuinty nor the rest of the caucus. The reason for that is because at the present time we're trying to download to the municipalities a responsibility without any financial support. It's like transferring an empty toolbox.

The reason I'm saying that this one is close to my heart and I want to know if this government is going to take responsibility is because I'm going to refer to a report that I have right here that I received today from Louis Veilleux from the town of Hawkesbury about a property that is owned by this government, MNR, contaminated land of which is diverted to the Ottawa River. The intake of the Hawkesbury filtration plant is right next to this outfall.

The report was prepared by Neil A. Levac Engineering. It goes back to May 20, 1999. It advised the government of the amount of contaminated land that we have there. It also refers to the cost. It would cost the owner of

the land \$80 million to clean up that pond. At the present time, the ministry is fully aware of the contaminated land, but it seems to be that it is too costly for the government to go ahead with the cleaning. True, there's only a certain part of it, 25 acres within this 220 acres of land, but this wet lagoon contains 350,000 cubic metres of contaminated sludge, which is transferred to another lagoon and then the second time it goes to the Ottawa River. It's been proven.

**1730**

Right in the centre of the town of Hawkesbury, CIP was opened up way back in 1890 by a company called Reardon Co and then operated by Canadian International Paper from 1921 to 1982. Then why is it MNR turned around and bought this piece of property? I don't know why. I think it is the responsibility of this government to make sure that within the city limits of the town of Hawkesbury we clean up our mess. If the mess was caused by CIP at the time, why is it that MNR has gone ahead to purchase that piece of land? Now it is the responsibility of this government to make sure that this piece of land right in the centre of the town of Hawkesbury is cleaned up. Is it because it is going to cost \$80 million to this government? I'm sure that the town of Hawkesbury cannot afford having this land cleaned up. But I wonder, with this bill, are we going to take our own responsibility and decide to clean it up? We could have a nice housing development in there; we could have a nice golf course in there. Anything could be built within the city limits of the beautiful town of Hawkesbury, which has the nicest centre-of-town commercial area within the whole of eastern Ontario. I just wonder why this government is trying to pass this on to the municipality.

I'm going to give you a good example, Mr Speaker. According to this bill, if I own a piece of land or a property large enough that I could sever, I apply for a severance. The severance is accepted, approved and then I turn around and I find that part of that land, that property, is contaminated. I will decide not to pay my taxes. After three years it's going to go to an auction, whoever wants to buy it. But the municipality will have a responsibility to tell the future buyer that this land is contaminated. So nobody will buy it, but it's going to be left to the municipality to clean up that mess, and that mess will be caused by this government by having Bill 56 pass.

I'm going to tell you, in the rural sector at the present time, in the area of Glengarry, I have a poor family, M<sup>me</sup> Sauvé from Glen Robertson, who bought this property about 20 years ago. All of a sudden we discover the land around the home is contaminated. So she decides to hire a company, \$48,000 for this poor young family that they had to pay for. Now the MOE is saying the contaminated land is over their property to the next property to the next street. This young family is responsible for the cleaning up of all this surrounding area. Will this government come up with some financial support for those people?

I have a place in Plantagenet the same way, in Alexandria. This poor lady, 91 years of age, was advised a couple of months ago that her property is contaminated



and the next-door property is contaminated. Now they're trying to blame this lady of 91 years of age. What are we going to do to try and help out this poor lady? The family lives in Cornwall. They're after me, they're after the government, to see if there's any help that could come up to help this poor lady. There isn't any.

In this bill at the present time I just can't see how we would solve this problem. It is going to be left to all the municipalities or the poor families to say, "Yes, you are stuck here. You bought the property. Even though you didn't know that the land was contaminated, it becomes your responsibility." You could rest assured, there will be a lot of municipalities stuck with pieces of land.

This poor gentleman, going back to 1995, prior to my coming in as an MPP for this area, came to me one day and said, "The ditch in my backyard is contaminated. It's full of diesel oil." I went over to see him and I said, "You have a major problem, sir." When I told him that he had a major problem and to contact a certain person, the guy died of a heart attack immediately. My recommendation would have been to apply for a severance as soon as possible, detach that piece of land off his property and let it go to the government or to the municipality because he could not afford it. This poor man today is about six feet below the surface of the ground.

This is what is going to happen with this bill. Municipalities have to go and proceed with the cleaning of contaminated land. Who's going to pay for it? There's only one taxpayer, and this time it's going to be the local taxpayer who will be paying for this beautiful mess that will be created by this province.

When I look at this, the amount of this contaminated land in Hawkesbury is unbelievable. I remember operating the Ottawa River committee as president, and the vice-president was and still is the Minister of Agriculture, Food and Rural Affairs, Brian Coburn. We were both involved in the Ottawa River, and people were calling us because the river was being contaminated by cottages and in this case by the Ontario government because of this lagoon diverting the water to the Ottawa River.

The ministry had asked us at the time, since we had cleaned up the whole Ottawa River, if we would take over this project. They would give us the money, hire some consultants, hire some engineers to remove all this contaminated land. I'm not an expert in that field, and none of my people working for me at that time—there were 107 of them—were experts. But why has this government not taken its responsibility in cleaning up that piece of land which the MNR bought in 1965? That was 1965. We're going back 36 years, and today we are coming out with this bill, telling people that the responsibility will be left to the municipalities. Shame on you. It's you people, the government of Ontario, who should be taking care of it.

**The Acting Speaker:** Comments and questions?

**Mr Bob Wood (London West):** I want to respond only very briefly to what the member said. I think he quite correctly set out some of the problems that exist in

this area. But what I would like to invite him to consider is that this bill does move us toward better solutions than we've had in the past.

It is quite true that there are sites which were contaminated without people realizing the extent to which they were contaminating, and in some cases they may not have even understood they were contaminating at all. That's a fact of life here in this province and across the world. I think, however, while he well described some of the problems, he perhaps understated the solutions this bill offers. I would invite him and other members of the House to see this bill as a significant step forward.

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to respond to my colleague's statement. I do so, recognizing that I believe he is the last speaker for our party, to say that this is one of those situations where I know opposition parties are often in a dilemma. There is no doubt that there are important steps forward in this bill. We have looked at it carefully. We proposed a number of amendments to the legislation that the government rejected in committee. Accordingly, we will vote against this. We do not support this bill on third reading. It was our hope that there would have been other changes brought to the legislation; there weren't.

The kind of situation my colleague from Prescott raised is one of a number of situations that the bill falls short on. A number of my other colleagues have raised other issues in their communities. My community of Windsor has many of these so-called brownfield sites, and we recognize that this legislation is a step, but it's not a big enough step. We think it would have been better for the government to have brought forward a more comprehensive piece of legislation to deal with an obviously serious problem. It has plagued and will continue to plague most municipalities in this great province of ours.

1740

Accordingly, the type of example he cited, the types of examples that have been mentioned by my colleagues and my own experience in the city of Windsor with these sites have led us to decide that we cannot support this bill because, number one, it doesn't go far enough. Number two, in order for this to be given practical significance—that is, applicability, a way of enforcement, if you will—there has to be a commitment by this government to make sure that will happen. We don't believe that's there.

We look forward two years from now when we can amend this legislation, when we'll be the government, with more teeth, more meaning and something that will really do the job the way the government doesn't want to do it.

**Mr Kormos:** I, in short order before 6 o'clock, will be the last speaker for this caucus. Folks down where I live are watching this on Cogeco cable right now, or at least the ones whose cable is working are watching it, where the cable hasn't cut out, as it does from time to time, or the ones whose cable reception is clear enough, where it isn't all staticky from Cogeco and, quite frankly, from cable companies in other parts of the province too, where

there is so much bleeding from one channel to the other that the channel is indecipherable.

I should tell you, to that end, I have been investigating low-tech antennas. Down where we live in Niagara region, with a low-tech antenna, for a one-time-only payment, you can pick up all of Toronto, all of Hamilton, you can pick up Peterborough, you can pick up all of Buffalo, all the US networks, and never pay a penny again for the rest of your life. It's called an antenna.

For the life of me, I don't understand why people are continuing to pay outrageous cable charges for bad-quality reception, intermittent service and hour-long waits on the telephone when you've got a problem, only to be told that somebody can't come out this week or this month. You're calling some call centre in who knows where in Canada or the Caribbean. I don't understand why more folks aren't doing what I'm doing, and that's looking at an old-fashioned antenna as an option. You never pay again.

If you really want to pay every month, Bell ExpressVu has incredible 18-inch satellites, an incredible quality signal and monthly fees that are far lower than what cable provides, as well as the opportunity to install more than one television set. I'll speak to that in about two more minutes.

**The Acting Speaker:** The member's time has expired. The member for Glengarry-Prescott-Russell has two minutes to respond.

**Mr Lalonde:** I appreciate the comments of the members for London West, Windsor-St Clair and Niagara Centre, but I really appreciate the comments of the member for London West. He mentioned, "This time we will be coming up with a better solution than we ever had before or that we had in the past." But why has this government not taken responsibility since 1965?

I know this government has been saying all along, "A promise made, a promise kept." I remember in the 1999 election we said we would clean up the environment. We would become one of the best provinces in Canada on the environment side. We are still at the bottom of the list.

Definitely, I would be pleased to give a copy of this report, prepared by Neil A. Levac Engineering. This report would probably open up the eyes of every one of you to see how this government has done with a report like this. They haven't done anything.

*Interjections.*

**The Acting Speaker:** Order. The members for Simcoe North and Windsor-St Clair, come to order. I will not have this yelling back and forth. I will not warn the member for Windsor-St Clair again.

**Mr Lalonde:** Sometimes when we tell the truth, some people don't like us to tell the truth, but as I always tell my constituents, if I were to tell a lie, I wouldn't be sitting here.

Again, let's hope this government—I know it is going to pass, even though we'll vote against it, but let's see if this government is going to take its own responsibility over the cleanup of this site in Hawkesbury, CIP, the former pulp and paper mill.

**The Acting Speaker:** Further debate?

*Interjections.*

**The Acting Speaker:** The members for Huron-Bruce and Scarborough Centre, come to order.

**Mr Kormos:** Are the government backbenchers getting a little tired or just a little cranky? They seem to be a little squawky. They've occupied so much of the Speaker's time this afternoon having to admonish them to tone down their conduct. I'll apologize in advance to them, because they seem to be so hypersensitive about something.

Was in fact another poll commissioned by your party? Is there something you'd like to share with us that maybe we could help you cope with or get through, rather than you people sitting there miserable and cranky and squawky? My goodness.

I want to tell you about Thorold. Just a couple of weekends ago I was down in Thorold with the mayor, Robin Davidson, as she, along with some people from an operation called Keefer Developments, unveiled the proposed project for the old Gallaher Paper mill site. That's right in downtown Thorold. It's a historic factory site. Keefer Developments, a local consortium of developers, have embarked on a very ambitious and, at the same time, a very clever proposal for the Gallaher Paper site.

One of the neat things about it is that the people who run the Book Depot—the Book Depot is an operation that sells remaindered books—are going to use the actual factory site. They're going to be the cornerstone retailer in that site. It is going to be the largest book retail store in all of North America and, for that matter, probably all of the world. If you've ever been to the Book Depot down in St Catharines, you know that you're buying new books. The really incredible thing is the lithographed books with the colour plates, art books, photography books, those sorts of specialty books which can retail for \$75, \$80, \$100. Book Depot sells brand new—they're pristine; they're mint—except they're remaindered. They're no longer on the bestseller list of the Globe and Mail book review. You pick up an \$80 book for \$10, for instance.

The project in Thorold at Gallaher Paper is going to be an incredibly exciting thing. The biggest single challenge that those developers have is that they're developing on a historic and very old industrial site. The cleanup, the remediation, of that land—if there's any stumbling block at all, it's going to be the remediation of that land. The problem is that even in terms of their planning and budgeting, they can project what they expect it'll cost, but of course once they start digging, once they start testing, they may come up with some remarkable surprises.

Thorold is struggling in a climate where, obviously, Gallaher Paper—it's gone. I remember being here in this Legislature, standing on how many occasions, and how many meetings and how many bits of correspondence with this government, who weren't prepared, weren't interested in intervening at all in an effort to maintain



Gallaher Paper and the quality jobs that it provided, as it had for decades for hard-working women and men in Thorold. This government hasn't done any particular favours for small-town Ontario, small industrial town Ontario, places like Thorold that have seen major industries wiped off the face of their maps, with this government showing no interest whatsoever in providing any assistance to maintain those good-quality jobs.

Oh, there have been new jobs in Niagara over the course of the last several years. The problem is that they all end in the fall when the tourists stop coming to Niagara Falls. They are \$6.85-an-hour jobs in the service industry and the hospitality industry, the sort of jobs that people used to do as students. Unfortunately, now those students can't do those jobs because their parents are working at those jobs because their parents have lost their jobs at places like Gallaher, or Union Carbide in Welland.

You remember this government's absolute refusal, this government's inability to even show any interest in the loss of those jobs, never mind the loss of jobs in the engineering company down in Port Colborne, in the shipping-engineering company down in Port Colborne. Again, good-quality jobs, skilled tradespeople, women and men, wiped off the face of Mike Harris's Ontario, and this government showing nothing but disdain and shrugging its shoulders and saying, "Oh well, too bad, so sad" for those workers and their families and the communities that relied upon those jobs to sustain local economies.

1750

What those job losses have done is left behind huge tracts of land about which the label "brownfields" is entirely appropriate. Cities like Welland, Thorold and St Catharines are eager. I can take you on a tour of Welland. I'll take you on a little tour of Welland right now. I can take you down to the old Reliance Electric site on Denistoun Street. I could take you up to the old foundry site. You know where I mean? Right there on Niagara Street, just beside the Welland River, the one that burned down around 10 or 15 years ago. I could take you to the Welmet site. I can take you, yes, to the huge, large acreage Union Carbide site on the old canal.

All those lands require extensive remediation before they can be put to any productive use, even the lowest level of use. Communities down in Niagara, just like communities across Ontario, have been beaten up on too badly for too long by this government to be able to afford the incredibly expensive undertaking in the remediation of this land. When there is the potential for private sector investment, the remediation and the uncertainty about what could be considerable costs, well beyond most projected or well beyond those considered to be appropriate to make the project feasible, are what will derail these projects, not any lack of will on the part of local leadership in those communities, not any lack of interest on the part of, yes, private sector developers. That's why.

Welland doesn't have the big tax base Toronto does. Thorold doesn't have the sort of commercial assessment

Toronto does. This is small-town Ontario that's been gutted by this government's downloading, small-town Ontario that's been gutted by this government's promotion—I say it has been a promotion of the deindustrialization of Ontario and the transfer of jobs from the value-added manufacturing-industrial sector over to the service sector.

*Interjection.*

**The Acting Speaker:** Order. The member for Brampton Centre come to order.

**Mr Kormos:** This government's maintenance of minimum wage at \$6.85 for the last seven years—

*Interjection.*

**The Acting Speaker:** I'll not warn the member for Brampton Centre again.

**Mr Kormos:** These MPPs in this Legislature were prepared to give themselves huge raises with the stroke of a pen, with not a peep of debate—

*Interjection.*

**The Acting Speaker:** The member for London-Fanshawe, come to order.

**Mr Kormos:** —yet minimum-wage workers have been beaten up by this government, have been shrugged off—

*Interjections.*

**The Acting Speaker:** I'll not warn the members for Huron-Bruce or London-Fanshawe again.

**Mr Kormos:** —and treated with disdain and disregard by this government and by every one of its backbenchers who refuses to stand up and say they're going to stand with hard-working women and men, the women and men who have been forced to subsist on minimum wages for seven years as a result of this government's abandonment of them.

The fact is that this government's tax breaks don't apply to those folks who are making \$6.85 an hour because they're not multi-million-dollar-a-year bank CEOs. They're not the president of Rogers Cable company, John—

**Mr Bradley:** Tory?

**Mr Kormos:** Oh, Tory, that's right. John Tory is very pleased with this government's tax cuts, because he makes a huge salary, even though his customers have to wait hours when they try to phone in after there's a cable breakdown to get the cable fixed, or angry customers have to wait hours when they phone. Have you noticed that with cable TV, how the channels bleed together? Cable has got to be the rottenest technology any resident of this province has ever had to endure. The problem is that the cable companies, be it Rogers, be it Cogeco, charge you a fortune. The rip-off is incredible. When we talk about organized crime tomorrow, we should be talking about the cable companies in Ontario. The rip-off by cable companies is incredible, yet it's the president of Rogers who got the huge tax cut, and the minimum-wage workers, and yes, some of those workers who work for those same cable companies are darn close to minimum wage, didn't see a penny of relief because their incomes

are too low to even pay income tax, but they still have to pay sales tax, that flat tax, that regressive tax.

That's what's happening down in the communities where I come from. Those communities want to remediate land, they want to address the brownfield acreage within their boundaries, but without any assistance from this government, the sort of assistance that people in those communities deserve is not going to happen. The bill fails them and every other Ontarian in that regard.

**The Acting Speaker:** Comments and questions?

**Mr Tony Martin (Sault Ste Marie):** I want to commend the member for Niagara Centre and assure the people out there that he knows of what he speaks. He comes from a part of the province where there are lots of brownfield sites that need to be cleaned up and put back into productive use in communities. But he knows, like I know, because I come from northern Ontario where we have lots of small communities which would like the support of government in cleaning up spots that have environmental problems attached to them, but alas, they just don't have the money. This government has not attached to this particular piece of legislation the resources that are necessary to actually help those communities do that.

I'm here to commend and support and present to the people out there for their further reading the Hansard where this speech is concerned.

**Mr Bradley:** I would be remiss if I didn't comment on my local member's—because he represents the other side of the city of St Catharines—comments today.

**Mr Spina:** You come from the same stripe.

**Mr Bradley:** He says we come from the same stripe. Certainly, we have had some degree of success at the polls; I would agree with that. It's strictly coincidental, I suppose.

I was interested in the comments the member made near the end of his speech today about the cable companies. I think that the local cable company made a major error when they took his program off the air, and they're paying the price now for taking that program off the air.

It was one of the most entertaining programs I've ever witnessed. Some of the guests were people you would never expect to find on an MPP's cable show. I found it highly entertaining, very informative, to say the least; and they closed it down. Now they want you to come on and get interviewed for two minutes or something, and try to say in two minutes what of course would take half an hour to say.

What was good about those old programs—and I happened to have one as well at one time—was that you could have some interesting guests come on. I even had members of different political parties who came on my program. I was very fair to them. They got their point of view out. It was very ecumenical.

There's no question that the member has drawn to the attention of the public of Ontario some serious deficiencies in cable television, but I think the greatest deficiency was the removal of the Peter Kormos show from Cogeco TV, previously Rogers TV, in Niagara region.

**The Acting Speaker:** Comments and questions?

The member for Niagara Centre has two minutes to respond.

**Mr Kormos:** No, thank you.

**The Acting Speaker:** Further debate?

Mr Hodgson has moved third reading of Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters. Is it the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

It being 6 o'clock, this House stands adjourned until 6:45.

*The House adjourned at 1759.*

*Evening meeting reported in volume B.*



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## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 31 October 2001

Mercredi 31 octobre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers





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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 31 October 2001

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 31 octobre 2001

*The House met at 1845.*

## ORDERS OF THE DAY

### MUNICIPAL ACT, 2001

#### LOI DE 2001 SUR LES MUNICIPALITÉS

Resuming the debate adjourned on October 30, 2001, on the motion for second reading of Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities / Projet de loi 111, Loi révisant la Loi sur les municipalités et modifiant ou abrogeant d'autres lois en ce qui concerne les municipalités.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: I believe we don't have a quorum here.

**The Acting Speaker (Mr Michael A. Brown):** Is there a quorum present?

**Clerk Assistant (Ms Deborah Deller):** A quorum is present.

**The Acting Speaker:** To remind members, we had just completed the speech of the member from Timmins-James Bay. We are now at the point of questions or comments.

Questions or comments?

The member has two minutes to respond.

**Mr Bisson:** I must say, I want to thank all those members who participated in responding to my speech, all zero of you. It was most intriguing.

I'm only going to repeat very quickly what I said last night in my comment on this, the Municipal Act. I want to make it clear to the government that, again, we in the New Democratic caucus believe that there needs to be reform to the Municipal Act. We in the New Democratic caucus believe that this is a step in the right direction. However, along with our critic Mr Prue, the member from Beaches-East York, we believe that this bill should not go to committee this fall. This bill should actually be ordered to committee in the intersession between the House rising in December and coming back in March or May or April, whenever that might be, depending on the leadership race.

The reason for that is that this is a huge bill. Just to give you an idea, these are just the explanatory notes of the bill itself, and, on top of that, the bill itself is one of the thickest bills we've dealt with in a long time. It's

some 400 pages and some 485 sections. There already appear to be some difficulties with this bill. I have to believe that the government is going to do what it says it wants to do with this bill, but when you read the bill, quite frankly, there are a lot of difficulties with it.

For example, one of the first difficulties is under section 40. The government is giving municipalities—get a load of this—the right to be able to levy tolls on highways in municipalities across Ontario. As a New Democrat, I don't believe we should be giving municipalities that power. What's interesting is that when you read the bill, what the government giveth, the government taketh away again by ministerial power. So the government is saying, "We're going to give the municipalities powers," but in the end it's the minister who really holds the power.

Another section of this bill does not repeal the provisions of municipal restructuring under Bill 26. The government can still restructure communities across the province. I would think that if we're serious about giving our municipal partners the kinds of powers they need, in the end, they would not have gone this way because this means that Mike Harris, or whoever his successor is, is still going to be able to restructure.

**The Acting Speaker:** Further debate?

**Mr Doug Galt (Northumberland):** I'm really pleased to be able to speak on this bill. This is probably the thickest bill that I've had the opportunity to speak about, Bill 111. Just a phenomenal amount of work has gone into this bill, some 320 pages. I believe the old act, along with all the attachments, was somewhere over 1,000 pages, so it's being reduced significantly.

First I would like to compliment the present minister, Minister Hodgson, but also the previous ministers who have worked very, very hard on this. I'm thinking in terms of Al Leach, Steve Gilchrist and Tony Clement, who all contributed tremendously to the development of this act over the last six and a half years; and also the parliamentary assistants who have worked on this from Morley Kells to Brian Coburn to Ernie Hardeman. Ernie Hardeman put in some four years, along with Al Leach, in developing this particular bill.

The municipalities and a lot of our municipal politicians have been asking for some time to be more autonomous. Of course, we worked on Who Does What. Previous governments called it disentanglement, and it didn't go anywhere there. Certainly, with our efforts back in 1995, 1996 and 1997, a tremendous amount of autonomy and direction was given to municipalities. Municipalities



have also been asking for people powers, which is part of what's in this new bill. Also, they've been looking for a lot of flexibility, and that's certainly contained in its over 300 pages.

#### 1850

This evening, I really wanted to zero-in on the extensive consultations that have been carried out on this particular bill, Bill 111, which will replace the Municipal Act, and the tremendous number of amendments as well. It's the first time it has been overhauled in a century or so; a tremendous length of time that has just been added to and added to, and now we're going to have a whole new act that's more streamlined. It will be a lot easier for municipal politicians to work with, and as well, when there are legal implications, for the legal profession to be able to review and understand what's in here.

The consultation that has been carried out on this particular bill has been extensive. It's also emblematic of this government and the kind of consultations we carry out with all the bills we bring forward and all the decisions made by our government. As a matter of fact, a hallmark of our government has been the extensive consultation that's carried out. This is just one example. I suppose you might say a fair criticism could be that it took so long to bring it in. But good consultation just doesn't happen overnight. That's what has been happening with this one.

As we look at the kind of consultation that has occurred, first back in 1995, there was a commitment made that, yes, we would come in with a new bill and that we would consult extensively with our municipal people, as well as with the business stakeholders. At that time, an advisory group was established under the parliamentary assistant, Ernie Hardeman, which was comprised essentially of municipal stakeholders. Following a year and a half to two years of work, a discussion paper was prepared. That discussion paper was released back in March 1997, which was a logical way to go about it so the public would have some idea as to where the government was coming from and what was going on with the particular direction.

One of the things they were being told as a result of this discussion paper was that the stakeholders would really like to see a draft act, an entire act put out in front of them, the type of act the government would be thinking about—sort of like a white paper, only in the form of an act—and how it would actually be introduced into the Legislature. That's exactly what they did. They responded to the concerns expressed by stakeholders at that time. A draft piece of legislation was then brought forward in February 1998.

There was some hope back in our first term, prior to the election in the spring of 1999 that, in fact, this bill would come in. I remember talking with some of the municipal people in our area and they just felt, "Hey, this hasn't been worked quite far enough yet," in spite of the fact that they were almost at the three-year point when the draft piece of legislation was brought forward.

It was then looked at in two different phases. The first phase was a three-month public consultation. I think it's interesting how far this was sent out. It was sent out not just to all the municipalities—what would there have been at that time, 600 or 700? As you know, we moved it down from 800 to more in the neighbourhood of 400. It was sent out to 130 First Nations and more than 70 stakeholder organizations. Of course, these organizations included municipal associations and professional and business groups.

This full draft act was also posted on the Ministry of Municipal Affairs and Housing Web site. Of course, this gave the public a much broader opportunity to see it. They wouldn't have to go and get a copy that's nearly this thick. They could get it off the Web site or just print off the few pages specific to them. This has become a tremendous tool to get information out, such as these bills, without having to print a whole lot of bills on paper.

This then moved to some five expert panels organized to review selected portions of the draft act. The membership of the panels included CAOs, clerks, treasurers, engineers and solicitors. These panels discussed everything from technical and implementation issues relating to practices and procedures to waste management, roads, transportation and public utilities. You can see this was very thorough, and this is after extensive consultation had taken place already, but this was working on an actual piece of draft legislation.

This was slightly different from some of the other approaches we've taken, such as for car insurance or nutrient management, where we actually used that for first reading and went out for extensive all-party consultation. In this case, they had draft legislation and worked on it at that point.

As a result of all this, some 320 submissions came in to the government from some of these various major client associations such as the Association of Municipalities of Ontario and the Association of Municipal Clerks and Treasurers of Ontario.

Then it moved into the second phase, working with this draft legislation, and that was with the various stakeholders. At this time the parliamentary assistant, Ernie Hardeman, had some 13 meetings with 20 stakeholder groups that represented the municipal sector and the business community. I think the municipal sector was quite complete, because it included representatives of the Association of Municipalities of Ontario, the Rural Ontario Municipal Association, the large urban mayors and chairs of Ontario, the GTA mayors and regional chairs and the Municipal Finance Officers' Association, just to name a few. Those were some of the key ones that were very involved.

Then of course there were the business organizations that attended the meetings, like the Urban Development Institute, the Metro Board of Trade, the Ontario Chamber of Commerce, the Ontario Home Builders' Association and the Canadian Federation of Independent Business. Also involved in some of these 13 meetings with the 20 stakeholders was the business community, which

included the coalition of industries concerned with the impact of the new Municipal Act as well as other organizations. This coalition was comprised of organizations like the Ontario Automobile Dealers Association, the Ontario Hotel and Motel Association, the Ontario Accommodation Association, the Canadian Council of Grocery Distributors and the Retail Council of Canada, again just to name a few.

Not surprisingly, from those consultations some concerns were identified and raised by the municipalities as well as the business community. You can imagine, when you're working with a bill this thick and with this many pages, that it's not surprising that some concerns will arise, and considerable discussion took place to try to resolve some of those.

Generally, the municipal sector believed the proposed act was too prescriptive and limiting, while the business sector was more concerned about the potential for increased user fees and increased regulation on the part of municipal government implied by the broader authority proposed. As a result of this, the government made the decision to delay introducing this new act until it could work on developing a new approach.

In March 2000, the present Minister of Agriculture, Food and Rural Affairs, the Honourable Brian Coburn, who at that time was the parliamentary assistant to the Minister of Municipal Affairs and Housing, started meeting informally with municipal and business sector representatives from right across this province to try to resolve some of these concerns and differences. Following that, in August 2000, the former minister, Tony Clement, committed to a last round of consultations on a new Municipal Act designed to resolve some of these key outstanding issues. Here was another minister very committed to getting this act through and revising this very old Municipal Act that we had in the province of Ontario and getting it updated to the 21st century. During this round of consultation, the minister and ministry staff met with many municipal and business representatives. Last winter, the Honourable Chris Hodgson became the Minister of Municipal Affairs and Housing, and he has guided the process through the final stages of consultation and negotiation.

#### 1900

We're now into areas of agreement. Does everybody agree with the bill? Well, not everybody figures it's exactly perfect, but then that's part of the democratic process. But we've got it very close, and our government is committed to developing a consensus over time. Through these extensive consultations, we believe we've found areas of agreement between the municipal and the business communities on key concerns. Technical working groups were established to study some of the key issues, such as licensing, user fees, corporations, and debt and investment. These groups included many municipal and business representatives. With the four ministers and three parliamentary assistants who have diligently worked on this particular bill, I think we've arrived at the

point where there's significant agreement in the province of Ontario.

I'd like to share with you some quotes I've come across. There are three or four quotes here from Ann Mulvale, president of the Association of Municipalities of Ontario. This was in their press release on October 18, 2001, not all that long ago, only 13 days ago. She states, "We believe that the legislation will go a long way to recognizing the importance of the municipal order of government, the wisdom of government-to-government discussions." She goes on to state, "We believe Minister Hodgson has seen the benefits of an open, consultative process in the development of this new legislation and we are extremely pleased the minister is going to continue that consultative involvement in the preparation of the regulations to implement parts of the new act."

She goes on to state, Mr Speaker, and I'm sure you'll be interested in this, "We believe this legislation will improve provincial-municipal relations. We serve a common taxpayer." Our government has said that many times. "It does not make sense to them that legislation clouds responsibility and accountability. This act should go a long way in clearly setting out how we handle shared provincial-municipal interests and providing the autonomy necessary to deal with entirely municipal community interest." In my opening comment, I was mentioning how municipalities wanted to be more autonomous, and here it's part of her quote. Also from her, in the Thunder Bay Chronicle: "For the municipal order of government, this is truly a historic day."

I think it's interesting to note the news release from the Ontario Chamber of Commerce, Ron McNeill, their first vice-chair: "Ontario business had been concerned that the new Municipal Act would give municipalities the greater access to user fee and licensing fees as a source of revenue. However, the new act strikes a balance on these issues."

"The new legislation also ensures that there will be greater transparency and public input when user fees are being contemplated. This is an important step to ensuring the accountability of municipalities when new user fees are imposed." This is from the Ontario Chamber of Commerce, an organization recognizing business.

From Jim Simons of the Thunder Bay police department, in the Thunder Bay Chronicle: "I think (the proposed act) is better for the community. It allows the community better control of what kinds of businesses they have, who is in them and what they do in them."

Mr Speaker, I know you'll be interested in this next one. It comes from the very famous mayor of Mississauga, Hazel McCallion; she's quite outspoken, as you know. She states, "Now municipalities have greater flexibility to make decisions regarding services directly relating to them with more latitude and self-determination than before." This flexibility was one of the other comments I had in my introductory remarks.

From the city of Kawartha Lakes—that's in the riding of the present Minister of Municipal Affairs and Housing—Art Truax in the Lindsay Daily Post: "It definitely



gives the city more flexibility than it formerly had." Flexibility again there, Mr Speaker. It goes on to say, "It gives the city more opportunity to enter into agreements, on a more independent level, without having to seek approval through the province." He also states, "A new act will tell us what we can't do, which is more helpful as it's not open to interpretation." He's recognizing that it's clear and understandable and transparent, which is so important.

Norfolk Mayor Rita Kalmbach, in the Simcoe Reformer, states, "The cornerstone of this is to improve the relationship between the province and its municipalities. Anything that's going to streamline us at the local level and give us more power, I see as a good thing."

We might move on to the Hamilton Spectator and a comment in there on October 22: "An enlightened, albeit long overdue move, the blueprint introduced by municipal affairs minister Chris Hodgson deserves applause. It is a major step forward in treating municipalities more as partners with the senior governments than as problem children who are supervised at every turn."

Then the Liberal Toronto Star on October 22 is saying, "The new bill brings the legislation governing Ontario's municipalities into the 21st century," recognizing its importance after 100 years, that changing this is overdue.

A last quote I'll share with you, coming from an editorial in the Lindsay Daily Post, October 22, under the heading "Municipal Act Changes Overdue": "Even those who do not agree with the changes have to respect the government for listening to municipal leaders and making an effort."

It makes reference to changes being overdue, and others in here are saying, "albeit long overdue" move. I think that's a fair criticism. However, in saying that, you have to recognize how long it takes to go out and consult and get a consensus. This has been approximately six and a half years to arrive at that, but I think we've arrived at a bill, Bill 111, that our government can be very proud of. I look forward to its speedy passage, that it will be through this Legislature before we adjourn on, hopefully, December 13, if the House leader and the whip see fit to have that happen.

One other item: I'd just like to mention how it clarifies single-tier and two-tier governments and their relationship to each other, and those have certainly been some difficulties that I have noticed with municipal councils in the past. So again, I think this is just a tremendous bill. I look forward to its passage, and I know municipal councillors in my riding of Northumberland look forward to this new bill.

**The Acting Speaker:** Questions or comments?

**Mr Rosario Marchese (Trinity-Spadina):** I wonder what M. Leach would say about the downloading of housing to the municipal sector. I wonder what the member for Northumberland has to say about what it means to download housing as a responsibility to the municipal sector that now has to raise money from property taxes alone, nothing else. That's a burden the property owners have to bear and a burden the tenants

have to bear as well, because as you know, member for Northumberland, tenants pay taxes as well; they may be hidden and not as obvious, but they pay taxes as well. This burden is on the shoulders of the taxpayer alone. The city has very little access to other sources of raising money, as you know.

You talked about user fees, and yes, they've had to resort to user fees to be able to pay for some of the problems that you have downloaded, and even with that, they're broke. You have downloaded a housing responsibility that property taxpayers ought not to be paying for. That responsibility belongs to the provincial sector, and money should be raised from the income taxes that you obviously levy on individuals and corporations to the extent that you do. That's a fairer system to be able to pay for that housing responsibility.

Member for Northumberland, maybe you might tell me or point to a section of the bill that deals with this issue of the download, that responds to property taxpayers who are saying, "We are paying so much in taxes that we can't afford it any more. We're senior citizens who don't have the means to pay for this and we can't pay any more." Can you speak to the property taxpayers about that?

**1910**

**Mr Tony Martin (Sault Ste Marie):** To listen to the member who just presented, you'd think that this bill really did something of some substance where municipalities are concerned, that it actually responded to a concern that has been raised over the last five or six years that the provincial government is forever imposing new responsibilities, changing the way the relationship operates between the province and municipalities, and gives them the resources they need to deal with some of those changes.

I have to say to you here this evening that in fact this bill does nothing of the like. It does not prevent downloading, nor does it prevent the unilateral restructuring of municipalities. So the power is still with the province. Where municipalities that rightfully, given the responsibilities they now have, were asking for more power, more control, more say in things that affect them in the running of their affairs and were hoping the government would deliver, with this bill, some of that kind of approval, alas, it's not there. No matter how the member cuts it here or presents it, this is a very small step in a much-needed revamping of the Municipal Act to give municipalities the kind of power they require in today's world, with the evolution of power and the responsibility that municipalities are taking on more and more and being asked to take on by senior levels of government.

If I were to be more cynical, this presents as another attempt by this government to do a smoke-and-mirrors act and download more of the cost on municipalities.

**Mr Ted Chudleigh (Halton):** I'd just like to comment on the member for Northumberland's wonderful dissertation on how this bill is going to revolutionize and at least give the tools to operate to municipalities that are struggling. Municipalities struggle with their ability to

balance various aspects of the things they have to measure, the things they have to manage. Those things are not always clearly defined between what the province is responsible for and what the municipalities are responsible for. This bill brings into some clarity just how those responsibilities vary, from provincial responsibilities to municipal responsibilities, and the member pointed that out very well.

He also spent some time quoting from people who had made comment on this bill, giving their support to it. I believe he used a quote from Thunder Bay. If he didn't, I will later. I think he quoted from perhaps the most famous mayor in Ontario, Mayor Hazel McCallion, and I will probably do the same thing later. What else did you use out of my speech? There were a number of different things, but he was a great speaker and he did a marvellous job of it. Unfortunately, he took most of what I wanted to say, but we'll forgive him for that tonight. You may have the opportunity to hear his speech again. That wouldn't do any harm, because I think good news can't be said often enough. So I congratulate the member and thank him for taking the time to inform us tonight in the House.

**The Acting Speaker:** Questions and comments?

Response, the member for Northumberland.

**Mr Galt:** I just can't begin to express my appreciation of the insight that the member from Halton had in the 20-minute speech I gave earlier. I really appreciate his comments. However, the members from Sault Ste Marie and Trinity-Spadina didn't seem to quite understand my comments in the same detail.

When they were the government, from 1990-95, they had an opportunity to do something about this particular act and didn't. They started talking about disentanglement. They talked a lot and then didn't do anything. We're a government that came in and looked at this. We may have used a different name. We didn't say "disentanglement." We called it Who Does What. But we ended up doing something. We've worked on a new bill for six and a half years and now we're doing something. We're actually going to implement it.

It's interesting that the member from Trinity-Spadina kept talking about this transfer of responsibility. He'd like to use a more derogatory word than that, but it's really about transfer of responsibility. He forgot to mention the 50% of the tax base left for municipalities on residential taxes. The government now pays 50% of the education tax that used to be on residences. I'm surprised because he knows about it and he missed mentioning it. I know it's just a slip; he would have normally.

We've had two cuts in the amount on the residential tax since that time, and the millions and millions in savings on taxation across this province on property tax is absolutely phenomenal. Instead of spiralling up, the way it did from 1985 to 1995, we finally put a stop to it, and it's starting to drop.

**The Acting Speaker:** Further debate?

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I'm pleased to have an opportunity to say some things

about Bill 111, the new Municipal Act introduced the other day by our friend the member from Haliburton, the Minister of Municipal Affairs and Housing. The bill gives us an opportunity to reflect on some of the issues around not just local government but the financing of local government.

I must say that in Ontario we have had over a long period of time quite a positive and healthy tradition of local government, better sometimes I think than we imagine. I look at other jurisdictions, some of them not very far from here, and I think a fair-minded person would have to conclude that, by and large, over a long period of time, Ontario has been quite well served by its tradition of local government.

Having said that, I know you, Mr Speaker, as someone who now has lived in northern Ontario for some time will, like the rest of us, have some memory of some very colourful characters who headed local councils. I see my friend from Walkerville is here, as is his colleague from Windsor-Sandwich. It's not that many years ago that we had both at the mayor's chair in Windsor and as a member of the Liberal caucus a very colourful head of Windsor council, and he reminds me of many of those characters who headed local government, enough to say that there was a lot of colour during some of those years, as there is today.

I am also the first person to agree that you can't live just on tradition. We are a very different society in 2001 than we were as recently as the mid-1950s or 1960s. Roughly 40% of the population of Ontario lives within 30 miles of where I am now standing, and that's a trend that is going to have to be reflected in our local government structures.

I wanted tonight to say some things more specifically about two or three items relating to the content of Bill 111. Part V of this particular legislation concerns the whole question of municipal restructuring. The minister and his colleagues in government ask us as a Legislature to approve new ways of allowing municipalities to restructure themselves.

I must say that it's timely for this Legislature to have perhaps a reflective debate about some recent experiences in terms of local government reform. When I heard Mr Harris the other day reflect on his six and a half years as leader of the Ontario government, one of the things he observed, and I think quite fairly so, is that there have been significant if not dramatic changes at the local government level, both municipal and school board.

**1920**

I was struck by a couple of things, and I would recommend to my colleagues a report issued in March of this year by the C.D. Howe Institute, which concerns itself with local government reform. I want to say before I touch on this subject that I am certainly very sensitive, as a member from a large small-town, small-city rural slice of eastern Ontario, that there certainly had to be restructuring of one kind or another. It always struck me that whether it was a Liberal, Conservative or New Democratic provincial government, there was a frus-



tration here at the centre with some of the practices and some of the organizations that had been constructed at the local level and how they required action by Queen's Park.

Just speaking from my vantage point out in rural eastern Ontario, a number of things that the Queen's Park gang most bitterly complained about were often the result of funding formulae that we were almost entirely responsible for. So in many cases, if local governments were duplicating activities, for example, in the roads maintenance area, it could often be pointed out that it was only because they were taking advantage of poorly designed provincial funding criteria.

I have felt for some time, and I have said to my colleagues in caucus over the last number of years, I would be very reluctant to get involved in significant top-down municipal restructuring, because I find that that is often the least successful. In fact, that is the conclusion of the C.D. Howe Institute in their report. Let me just read a couple of paragraphs from their report released, as I say, in March of this past year.

"Amalgamations forced on municipalities by provincial governments are the product of flawed 19th century thinking and a bureaucratic urge for centralized control," says the C.D. Howe Institute commentary published today.

"What's more, says this study, smaller and more flexible jurisdictions can often deliver services to residents at lower cost, throwing in doubt the financial assumptions typically used to defend amalgamations.

"The new study published today by the C.D. Howe Institute entitled *Local Government Amalgamations: Discredited 19th Century Ideals Alive in the 21st* argues that some provincial governments have been guided by an intellectual fashion of the 19th century, an apparently unshakeable belief in monolithic organizations and central control."

The study's author, Professor Robert Bish, professor emeritus at the University of Victoria in British Columbia, goes on to explain what he calls the flawed thinking of this top-down centralized municipal restructuring.

I have been looking in my area now, after the last two or three years, at some of the results of the latest round in municipal reorganization. Some of it has obviously gone better than others, but as a general rule I think I see evidence, not just in my part of the province but in much of the rest of the domain that we know as Ontario, to vindicate a lot of Professor Bish's observation.

I don't know whether any members of the Legislature have ever read it, but there was a wonderful little essay published in 1983 by the department of political science at the University of Western Ontario entitled *Restructuring Oxford County*. I'm not going to go into all of the details, but in the 1970s there was a big raft of, again, municipal restructuring, and 10 years after the last of those municipal reorganizations was completed, Beecroft at the University of Western Ontario went out to see what he could find as an example of a success story. He decided that Oxford county, restructured in 1974, was a

pretty good example. I'm not going to bore you with the details of that tonight, but the core message in the Beecroft analysis was that it was a restructuring that was led almost start to finish by local political leadership. There's some wonderful stuff in that article about the role played by the then MPP for Oxford, a former colleague, Dr Harry Parrott, some wonderful stuff indicating the ingredients of successful municipal reorganization.

I see the Minister of Education is here tonight. She's a very busy person. Actually, there are two of them across from me. In the last number of years, we have had a number of school board reorganizations, the frustrations of which I can well imagine. But I've got to tell you, in southeastern Ontario we've got a couple of creations that leave local government virtually a nullity, and it's seen to be such by people; creations that are almost imperial in scope and without any real local connection.

It will be for this Legislature and, I suspect, the next Legislature to deal with the fallout of the municipal restructuring that has occurred under the Harris government. I guess it was the member from Trinity-Spadina in his comment a while ago who quite properly drew our attention to the responsibilities local governments have now been given.

Bill 111 talks about things in general, and there are some good things in this bill. A number of private members' initiatives are incorporated, including one by my colleague and friend Ms Papatello from Windsor. But as in most matters before the Legislature today, all the real meat is in the regulations, and they will be written by other people at a different point. But I say to my friend from Lambton and others, how can we seriously and thoughtfully talk about a Municipal Act without coming to terms with the realities today of what we expect the local property tax to shoulder?

It was not without interest that I read Mike Harris's address to the Brampton Board of Trade, a speech given on September 27. In that speech, colleagues will remember, Premier Harris basically announced a major retreat from an initiative of three or four years ago; namely, that the province was going to take back responsibility for GO Transit. I give the Premier credit. This was an admission that that download to large suburban municipalities in the GTA was wrong-headed, however well intentioned.

Let me say to Mr Harris and his colleagues in government that I have municipalities in the Ottawa Valley with very fragile tax bases that have been given the responsibility—let me take a couple of examples. We were given 250 kilometres of provincial highway and something like 60 bridges or bridge-like structures, and a one-time cash payment from the province of something like seven or eight million bucks to help digest that pill.

My county has roughly 100,000 people. It has over 3,000 square miles. Forty per cent of the land base in the county of Renfrew is owned by the crown. I've got municipalities like greater Madawaska and Bonnechere Valley, Brudenell, Lyndoch, Raglan, where 50%, 60%, 70% of the land base is owned by Her Majesty in the

right of the province of Ontario. Those municipalities have been given responsibility for roads and bridges, which they never had before. They are now responsible for social housing. They are responsible for a number of soft services that are very expensive and require a much stronger municipal tax base than many of those lower-tier or upper-tier municipalities in my part of the province have or could ever hope to have.

The Minister of Natural Resources is not very far from me as I speak. One of the questions that property taxpayers in the Ottawa Valley would want me to ask the Minister of Natural Resources or the Minister of Finance for Ontario is simply this: how is it that you basically get a pass, an exemption, from paying your fair share of property taxes on the vast land holdings you have in our county? I must say to the Minister of Natural Resources that while he may be an absentee owner, he's a very active developer on his lands.

Among the things many of the rural municipalities are now expected to pay for are increased police protection, fire protection, and increased road and highway maintenance. If you were travelling between the village of Kaladar in Lennox and Addington and the village of Eganville in Renfrew, you'd come up Highway 41. You'd travel over 100 kilometres. Most of that drive would take you through a provincially owned woodlot, and the vehicles you're going to see are ones that are working Her Majesty's woodlot.

1930

John Snobelen Inc, on our behalf, is a very busy developer on those lands in south Renfrew, in north Addington, in east Haliburton and in north Hastings. I say to the minister and to the provincial government, what kind of contribution are you going to make to those local governments which now have to pay the bill for things like 250 more kilometres of formerly provincial highways and have to pay for police and fire protection, often on Her Majesty's lands? Those are real questions, and they cut to the quick of municipal finance in an area like mine.

We have land ambulances in the upper Ottawa Valley that are bringing people out of Algonquin Provincial Park, where on a summer weekend you'll find 40,000 or 50,000 people. What is Algonquin Park but a provincial municipality? On a summer weekend, there are as many people in that municipality as there are in the city of Chatham. Well, there's just a breezy indifference on the part of the provincial government to those activities as they relate to local government.

So for me, it's all well and good to have a new Municipal Act, but speaking for the rural and small municipalities in my constituency, they want to know, Mr Premier, now that you have admitted that your download of GO Transit to the municipalities in the greater Toronto area was a mistake, when are you prepared to take a second look at what you've dumped on to the backs of small rural municipalities in the Ottawa Valley and in northern Ontario?

Yes, it is true, as government members will point out, we've greased the skids through a transitional period with transitional money. It would be very interesting to get an honest audit, a complete audit, of what's actually happened. We'll probably never get that. Only an aggressive, muscular, serious Legislature would ever ask for it and only a co-operative government would ever provide it. I don't expect we'll meet either of those requirements in my lifetime.

I say to the government that in my communities, they want an answer. When is the provincial government going to pay their share of the property tax bill that is properly theirs as the owner of roughly 40% of the land base in Renfrew county? When is the Ontario government going to reconsider some of the very costly, expensive programs that have been transferred down to local government? Yes, I heard the previous speaker say that there was a trade. But as people like the former mayor of Petrolia will know, when you give a small municipality something like social housing, when you give small rural municipalities large amounts of what had been provincial highways and costly bridges—we've got a bridge, formerly provincially owned, in an area of my community, and the bill is going to be somewhere between \$1 million and \$1.5 million just to renovate one bridge. We were given 60 bridge and bridge-like structures just a few years ago. There is simply no financial capacity in an area like mine to shoulder the load that's been transferred to it.

I have to say that thoughtful people inside the Ontario government know this, and I expect that reluctantly, over the course of the next few years, ministers and deputy ministers are going to trot out dribs and drabs to try to ameliorate and mitigate what will be a critical situation for a number of these smaller municipalities.

Let me just conclude my comments tonight by making one final observation. My colleague Jean-Marc Lalonde, the member from Glengarry-Prescott-Russell, this afternoon asked the Minister of Agriculture, Food and Rural Affairs a question about when, if ever, rural municipalities are going to hear some news about the so-called OSTAR program. There are lots of glowing words, and I've heard them here for many years, and to be fair, I've heard them from more than one party in government. But I'll tell you, when I think about the way the province often treats municipalities and the crap that we have doled out over the last six to 12 months to municipalities which are waiting for some kind of word about their capital requests—as the member from Glengarry-Prescott-Russell said today, I've got in my county several municipalities with very serious water and sewer issues. They know they've got to make changes. They know the province is imposing costly new standards upon them. These municipalities played the game by the rules written across the way. They were told to get their submissions in almost a year ago. They have been treated like mushrooms: kept in the dark and fed manure. Well, they're fed up, and I don't blame them.



I see some frowns across the way. No self-respecting person should take that kind of treatment, and I don't care who's in government. One of the problems we're going to have and that we have been having at the local government level is that a lot of people are just not interested any more. It's a very, very time-consuming business, and the good people expect to be treated with some respect. There's a lot of palaver around here about "a new act to replace the old Baldwin Act." I can tell you, we'd better change not just the construct; we'd better change the attitude. Good people at the local level are going to expect to be treated more responsibly than we have treated them in the last few months, particularly around their capital requests.

I understand ragging the puck for a while, but this government has ragged the puck to the point where it is an abuse of power and an insult to those local leaders whom we expect to applaud us all for a new Municipal Act.

**The Acting Speaker:** Questions and comments?

**Mr Marchese:** I want to congratulate the member from Renfrew-Nipissing-Pembroke for his remarks. He's covered a lot of ground. I just want to comment on a couple of them because I agree with almost everything he said and would reinforce some of the things he said.

In fact, the attitude of this government toward municipal governments has been completely disrespectful. They have dismissed city government unlike any other government before. They have treated them with disdain and so patronizingly, unlike any other government before. He's right when he says that.

He speaks of other issues of the download that are dear to me as well. The member from Northumberland, of course, understands but pretends not to. He says, "The member for Trinity-Spadina forgets to mention to the Ontario citizens that, yes, we have downloaded housing, but we picked up a fair amount of the education tax as well," so—he didn't say this—it evens out. But the member from Northumberland knows that it doesn't even out, and the member from Renfrew knows by experience that it doesn't even out, because they tell us the download has been an unfair trade. When you download housing, when you download roads and bridges as a responsibility, transit virtually completely, GO Transit, which they took back—member from Renfrew, by the way, my fear is they are taking it back to privatize it. In response to our question, "Are you doing so to privatize it?" the finance minister never answered the question. He never said, "No, we're not doing that to privatize it. We're taking it back because we understand that cities are broke." He didn't answer our question, so we're afraid the reason they're taking it over is to privatize it.

When you download so many of these services and cities are broke, they need help. The member from Renfrew speaks well on that.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have to say that I commend the member for Renfrew-Nipissing-Pembroke. He is right when he says that at the present time we have to be very careful with this

government. We know the municipalities need a new Municipal Act, but going by what this government has done in the past, we have to be very, very careful.

I'm just going to give you a few examples of what this member brought to our attention. When the police services were transferred to the municipality—I'm going to give you Glengarry-Stormont-Dundas—they had 51 officers there. After they took over, the government said, "You've got to have 60 officers." All the time it was under the government, they were only paying for 51. But now that it is paid for by the municipality, they require 60.

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But the worst thing of all is, how much power will the municipality have? I'm going to give you a good example. At the present time—on May 7—this government amended the Municipal Act, without having the city of Ottawa's consent, to accept Quebec contractors to come in without electrical licences or master licences, to give them a chance. The city of Ottawa said, "For the protection of our people, they have to know the construction code and the electrical code of Ontario," and they said, "No matter, we want to give access to the Quebec contractors in the city of Ottawa." But we Ontarians can't go on the other side.

Just to tell you, this past week we won a case, but not because the Minister of Labour worked with us. I have advised him. Black Electric from Ottawa, Charlie Greenwell from CJOH, got on the program and finally we got a contract cancelled, even though we were going to pay \$167,000 more in federal tax. That's what it would have cost the taxpayers, because it was a government contract. But at no time did the Ontario government get involved.

**Mr Martin:** I think as usual it would do the public well, and particularly members across the way, to listen when the member for Renfrew speaks in this House, because he's been around a long time and he can connect the dots. He understands how things evolved and knows often sooner than many of us when something presents as false and ultimately will wind up making the government and all of us here look bad and provide an opportunity, even more than there is now with this government, for people to become cynical about the way government operates.

This government is presenting this bill as something substantial when in fact it really isn't. Our read of it says that it actually falls woefully short of the kind of change that would allow large cities in particular to develop to their full potential. For that to happen, municipalities would need more power to raise revenue from new sources and to be given control over revenue room; for example, the proposal we put forward as a caucus here that there be an Ontario transportation trust fund developed and put in place that municipalities could tap into and use to improve their transit systems, to make sure that people in cities like Toronto are able to move around freely, without polluting and creating the kind of logjam that we see every day on a regular basis as people come to work and go home from work.

That's what municipalities want. They want to be empowered to develop, so that they can become first-class cities, but they also need the resources that are necessary to go along with that, and if they're not being given the resources, they want the room to perhaps raise resources in some creative ways so they can afford to do those kinds of things.

**Mr Steve Peters (Elgin-Middlesex-London):** I want to compliment my colleague from Renfrew-Nipissing-Pembroke. Much as he can relay his own experience here in this Legislature, I'd just like to relay a little bit of my own experience of having been a municipal politician who was first elected to a council in 1988 under a Liberal government, then witnessed five years under an NDP government and then witnessed another four and a half years under a Conservative government. I can tell you that as a municipal politician I didn't have a good thing to say about any of those three governments, because they all treated municipalities with disrespect. But in that 11 years that I spent in municipal politics, I never met a government quite like this government here: the disrespect they have shown toward municipalities, the downloading and the burden you have placed on the backs of future taxpayers in this province, be they roads and bridges, as the member referred to, be they the need for new user fees that have had to be raised by municipalities. Housing is a terrible burden.

What troubles me is that we have this Bill 111 here—believe me, municipalities have been calling for a new Municipal Act. We heard earlier this evening of the consultations that took place leading up to this Municipal Act, and we heard wonderful praise coming out of mouths, but I can assure you that any of those municipalities that gave praise to this act has not had an opportunity to read this piece of legislation. I plead with the government not to ram this piece of legislation through before this House rises. You must do the honourable thing and ensure there is proper consultation on this legislation before it is implemented and inflicted on the municipalities of this province.

**The Acting Speaker:** Response?

**Mr Conway:** Very briefly, I simply want to say that it would be uncharitable of me to say—as I indicated earlier, there are aspects of this bill that I think are commendable, but the difficulty I see with this legislation is, again, that it's rather like the Delphic Oracle: it might mean something, it might mean nothing; it might mean something good, it could very well be something bad. The devil is always in the details, and most of the details here are in regulations to be written and applied later on.

My concern, in summary, is this: I don't care how good your Municipal Act is, if there is not a proper division of responsibility between province and local government, if there is not an adequate tax base at the local level to sensibly shoulder the responsibilities assigned to local government, then you have got yourself a situation that is not going to be very happy.

**Mr Marchese:** Unsustainable.

**Mr Conway:** My friend from Trinity makes the point. I'll use the example again. In my part of eastern Ontario we have downloaded provincially 50% of our old highway system. We have been given not one cent of nearly \$4 billion worth of road-related provincial revenues. That's unsustainable.

I want to say as well that in some of these larger units of government, we have to a real degree privatized our politics. We now have urban communities where if you can't raise hundreds of thousands of dollars, you're not going to be a serious candidate to become mayor. I just watch what I see in that marketplace and I've got to tell you that there are some very interesting and not always very pleasant signals as to what's coming there. With those remarks, I'm happy to yield the floor.

**The Acting Speaker:** Further debate?

**Mr Marchese:** If the Tories don't want to speak, there's always a good opportunity for New Democrats to stand up.

*Interjection.*

**Mr Marchese:** I beg your pardon?

**Mr Chudleigh:** You were supposed to be next.

**Mr Marchese:** No, but that's fine. There's no problem. We're happy to stand now, in advance of when I would properly be speaking. We've got members here to speak to these issues.

*Interjections.*

**Mr Marchese:** You stay here, Ted, because I want you to listen to what I have to say, and Greg, don't go away. I'm just starting now. It's 20 minutes.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** I've got to go and record this.

**Mr Marchese:** No, you don't have to record it; just pay attention to it. It's 20 minutes. Greg is so fresh in this place, he has to get his grip again. He's got to listen to a couple of us just to get the feel of what it's like to speak in this place. I understand.

This act, yes, has been praised by many. The member for Northumberland had a long list prepared by some staffer so as to compile quite naturally and properly a whole list of editorials that say how great you people are. I understand. I would do the same. Yes, they see some changes in this bill that many people like. We want to speak to some of the omissions in this bill, because I think the Ontario citizens who are not going to have the opportunity to read this bill, a thick bill, won't have a clue what's contained in the bill and what's not contained in it. So I want to make some comments about what's lacking in the bill.

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One of the things that is problematic—our colleague Michael Prue, the member for Beaches-East York, mentioned this and mentioned much more than I will be able to tackle in 20 minutes. He too has the same concerns I'm about to share with you. One of them is that this act will permit municipalities to change their ward boundaries, to be able to decide for themselves what kind of boundaries they will have, and that's a good thing. It should be a power that municipalities ought to have, but



there's one little problem. I think the minister, who is a fair-minded man, may have missed the fact that there is about to be some unfairness that will ensue as a result of this bill.

The City of Toronto Act is prescribed by the provincial government, and it says they will have to have boundaries that are half of provincial boundaries; in other words, one ward in half of the provincial boundary and the other ward in the other half of the provincial boundary. That is prescribed by the City of Toronto Act; in other words, the city of Toronto will not be able to decide its boundaries. Other cities in Ontario can do that, but the City of Toronto Act does not permit them to set their own boundaries.

That's a bit of a problem. It's not fair. The city of Toronto, with 2.3 million people, will not be able to set its boundaries. I think it's a problem. I think it's wrong. You can't have, member from Northumberland, such an uneven treatment of our municipalities. You can't treat Toronto in the way you are doing, in the way you have done, and say to the other municipalities that it's OK for them to have fairness across Ontario, but it's not OK for the city of Toronto.

It's not OK for the city of Ottawa equally under the same problem because they too have prescribed rules as to what they can and can't do. The city of Hamilton equally is treated badly, like Toronto and Ottawa. The City of Toronto Act supersedes the present act we are debating, meaning whatever is in the City of Toronto Act, for those of you who do not understand "supersede," applies. This bill does not give the justice that the city of Toronto and its citizens deserve.

I'm not quite sure whether this is an oversight. I suspect that it is done deliberately and that they know very consciously that they are treating some cities one way and the rest of the population differently. I say to you guys who are here listening, maybe you notice, maybe you don't. I've got to tell you, you still have a couple of members who are elected in the city of Toronto. I suspect Mr Stockwell, Mr Young, Mr Hastings, and a couple of other friends who are here—what's his name?—Morley Kells from Etobicoke, and you've got a couple of members from Scarborough—what are their names? Good heavens, I forget them, my good buddies.

*Interjection.*

**Mr Marchese:** Gilchrist from Scarborough, exactly. You've got so many. I'm not quite sure why they're not here tonight to remind the minister—

**The Acting Speaker:** We know we don't refer to members by name, nor do we refer to the absence of members.

**Mr Marchese:** I thank you, Speaker, for the latitude you gave me. It was so difficult to find them by their ridings and I thought it was kind of you to permit me to name them by name. I'll do my best to try to remember where they're from.

They've got a lot of members from the city of Toronto. They ought to be here debating tonight against M. Hodgson. They may not have had the opportunity in

their caucus to tell him, because maybe they didn't know and maybe they weren't told in the briefing that they may or may not have had that the city of Toronto gets treated differently.

I'm sure the Minister of Labour, who is a proud man, a very proud and confident man, might I add, wouldn't want his constituents to be treated any differently than someone from Durham—would he?—or Owen Sound, or anywhere for that matter, would he?

So I want to know where the Minister of Labour, M. Stockwell, and others from the city of Toronto are tonight to defend the interests of their citizens of the city of Toronto. Where are they? Why are they not defending the people they represent and the 2.3 million citizens we've got? They will not be able to change their boundaries in the way they see fit, in the way governments ought to be able to do because they are the ones who know how best to design their boundaries, not the province. They've done that for others but not for the city of Toronto, not for Hamilton, not for Ottawa. That's the first point.

Secondly, municipal standards will apply for matters of provincial significance and penalties will ensue for not meeting those standards. Now, we don't know what those standards are, we don't know what the criteria for those standards are, but it certainly frightens me, given the way municipalities have been treated by this government: with complete disrespect, complete dismissal as simply little municipalities that do not know how to manage their affairs. And thus we have a benevolent Conservative centralist government that has decided on their behalf how to deal with them. So they've decided that there will be standards, and there will be penalties if those standards are not met. And of course the ministers will set that standard on provincially mandated programs, and if they are not met, whatever those standards are, to be determined by this minister and who knows, by regulation, whatever they may be, there will be huge penalties, and it seems we don't know what that will be yet either.

If they meet the standards by 60%, does that mean the penalties will be severe and all of the money will be withdrawn for that particular program? What if they meet only 70% of provincially mandated programs, 75%, 80%? Or 85% or 90%? Are they saying the standards must be met 100%, otherwise money will be completely withdrawn for those programs? What are we saying? What is this government saying? I suspect that most of the members present here tonight have no clue of what it is that I speak. I am convinced they have no idea. Similar to the comments I made with respect to the previous issue about the city of Toronto not being treated the same way, I suspect most of the people in the Conservative Party elected in this place from the city of Toronto have no clue, because if they did they would be here standing up for their constituents. So that's the second matter that I have raised which is a bit of a problem.

The third that I raise Michael Prue has raised. In his hour he talked about many things, but the third problem

that he spoke to that I will touch on as well is that all the bylaws of municipalities will have to be either repealed or confirmed by the year 2006. For those who think it reasonable, one might say that four years is a significant amount of time for the city to be able to repeal or confirm their bylaws to match the laws as prescribed by the present bill that we are debating. But this is a huge workload and someone's got to pay.

I am told that in the city of Toronto there are as many as 15,000 bylaws on their books. Can you imagine how long it would take for someone, lawyer or otherwise, to go through 15,000 bylaws and determine which are consistent with the laws that they are about to pass and which are inconsistent and therefore need to be changed?

Billy, do you know what I mean?

2000

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I'm trying to understand whether you're for it or not.

**Mr Marchese:** Because you're not listening. That's why you don't understand a single thing I'm talking about. You come from a community that I suspect doesn't have a whole heap of money, and when they have to repeal these bylaws that are inconsistent—because you need someone, Billy, to review those bylaws—do you know how long that takes? Billy, the maverick, have you told M. Hodgson, the Minister of Municipal Affairs and Housing, “You ain't going to do that to my community”? Have you told him that?

**Mr Murdoch:** Oh yes, I have, many times.

**Mr Marchese:** No, you haven't, Billy. You know that. I am sure you haven't gone to the minister and said to him, “Minister, it is going to cost money to review all of the bylaws that we have in our books and we're going to have to have some man and/or woman and it's going to take a whole long time, and I want a promise from you, Minister Hodgson, that the money is going to flow to the city, because we're broke.”

**Mr Murdoch:** It will. We'll make sure.

**Mr Marchese:** M. Murdoch from Bruce-Grey-Owen Sound says, “Oh yes, the money will flow.” He scoffs not just at me but at his own party and his own constituents, because he knows better. He knows the insults that he's had to bear in his own little municipality and he knows the disdainful way that other people have been treated across the province and that money has not been flowing to the cities. In fact, it's being downloaded, not uploaded, to the extent that you might have some money. You're not getting any money. You're getting more services that you've got to bear and that your constituents have to bear through the property taxes, member from Bruce-Grey-Owen Sound.

*Interjection.*

**Mr Marchese:** You're from where?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Bruce-Huron.

**Mr Murdoch:** She's from Bruce-Huron.

**Mr Marchese:** The member from Bruce-Huron is here tonight, and I think tonight she's going to stand up on behalf of her constituents, aren't you?

**Hon Mrs Johns:** Always do.

**Mr Marchese:** To say to them, “When the minister says, ‘You're going to have to review each and every one of those bylaws,’ the money will flow to make sure that we hire one, two or three individuals, whatever it takes, to make sure the job is done.” You will do that tonight, won't you?

Speaker, I tell you she's not going to stand up and say that tonight. Neither she nor the other member from Bruce-Grey will stand up tonight, as the maverick that he is, defending the interests of his constituents. They're nowhere to be found when we need them.

**Mr Murdoch:** I may do the two minutes.

**Mr Marchese:** Do two minutes, please, member from Bruce-Grey, but at least do something. Get on the record to show the public that you're here. Get on the record to criticize me or something. But do something. All of you who are in this place, from time to time you've got to stand up and speak, at least for a couple of minutes. If not for 10, if not for 20, stand up for two and say something. The public demands that at least of you. I don't know how some of you get elected. I don't know how in God's name you get elected because, you see, people want to see you speak. People want to see you defend your policies one way or the other, or to criticize your government in here when you think it's right and not in your own constituency, in the confines of the private house of someone where you can say, “I stand up for you.” Stand up in this Legislature for them and for the rest of Ontarians who want to hear you, member from Bruce-Grey-Owen Sound.

I'm not just picking on you; I'm picking on a whole lot of people tonight here. I'm picking on a whole lot of other people here who don't take the minutes that are allotted to them to speak in this place so the members can hear you and know what you have to say, how you're saying it, who you're defending, who you're attacking. It's your job.

These are a couple of things. Part V of course still says that any ministry in that position can decide on any restructuring of any municipality as it sees fit, as it has done in the past, where it's decided to amalgamate many constituencies like the city of Toronto because the city of Toronto deserved to be amalgamated.

**Mr Murdoch:** Poor city of Toronto. I have tears—

**Mr Marchese:** Yes, you cry. I can see the tears from the member from Bruce-Grey. His tears are just dripping down his eyes as he worries about the city of Toronto and the 2.3 million people who were here who were forcedly amalgamated by this government and didn't have a say. Now they say, “We want to consult with you before we make changes.” Ha. How can anybody trust you and your buddies and your ministers when they say, “We want to consult now before we axe something or other or we whack you in one way or another”? So now, before they get whacked they're going to be consulted. Big deal. Isn't that lovely? Now I know they will consult me and it will be fine after they whack me because they, in advance,



met with me in some room and said, "This is what we're going to do. What do you think?"

*Interjection.*

**Mr Marchese:** You understand. So restructuring still is in place and they can decide at any moment what to do with any municipality. That's the power they've got. That's the power they love. They love centralized governments, these people here. They used to attack communism for being too overly centralized, you recall. These Tories, oh boy, do they hate communism. Now they don't have to worry, of course, because communist Russia is no longer in existence. They need some other enemy to go after.

**Mr Martin:** Mike Harris's Ontario has replaced them.

**Mr Marchese:** Mike Harris's Ontario has replaced them, quite conveniently, under a different kind of name. They're much more benevolent, aren't they? In the same way they treated the city of Toronto so kindly when they said, "You shall be forced into amalgamation because we think it's good for you." Now, to appease them, they're saying, "By the way, in the event there is going to be some major change, we will consult with you." How can anybody believe its intent when the attitude up to six years so far has been so poor? Nobody believes you.

You people have beaten up on every municipality in ways that I have never seen before. The member for Northumberland pretends he doesn't understand. You downloaded housing 100%. Yes, you took back some education, half of the education costs that come from property taxes, but the other half is still there. But you've downloaded housing 100%. Housing is coming out of our property taxes. What kind of a service is that for me as a homeowner to be paying for? A homeowner says, "I don't mind paying for the pipes that run through my house to get the water. I don't mind paying for the garbage removal. I don't mind paying for libraries. But hold on a moment. I've got to pay for housing?" Since when have property taxes been assigned to pay for housing, to pay for GO Transit? You now all of a sudden took back GO Transit because you realize that cities are broke. Since when have you told property owners that it's fair to tax them to pay for housing? Since when? Transit, child services and welfare are still on the backs of the property owners. Thirty per cent of welfare is still on the backs of the property owners. Tell them why that's still good. That download is hurting property owners like we've never seen before. This bill does not deal with that.

I come back to the first point. This bill says that the rules of the city of Toronto, unlike any other city, are prescribed as it relates to their boundaries. I think that's profoundly unfair. M. Hodgson, wherever you are, because you must be somewhere, I hope you get an earful from other citizens about this bill, and I hope you'll correct that before the end of the month.

**The Acting Speaker:** The member for Bruce-Grey-Owen Sound.

**Mr Sorbara:** Now I know why I stayed this late.

**Mr Murdoch:** You're from Toronto and you're smiling. I can't believe, after listening to that passionate speech, that anybody living in Toronto would be smiling. We must all be crying down here. I come down here and the people are happy. But if you listened to the member for Trinity-Spadina, you'd believe everything is doom and gloom.

It was like that a few years ago. I can remember when the NDP was in government. Were they a socialist government or almost a communist government? I can remember back when you were there. You had the government. You had the power in your hands and you did nothing but spend money: \$10 billion a year, I believe it was, that we didn't bring in. That is what the NDP government did to us in Ontario. They put Ontario so low that we had to come in and change things so drastically that we had never seen anything like it before. The NDP can't understand that. They just can't understand what real life is all about, and it's unfortunate.

I think we are talking about Bill 111, the Municipal Act, but I didn't hear a lot from the member on that act, because he just wanted to talk about—well, we don't know what he wanted to talk about, actually; he was crying so much and was so worried about the people in Toronto. I think they're doing quite well.

I tell you, the Municipal Act was needed. The municipalities have asked for this act for a long, long time. They've been wanting something to happen.

If he says the minister said he will do this, I believe Minister Hodgson will do this. If it's going to cost a lot of money, he will help us in the municipalities. He has done that before. There are lots of transfer monies that have happened. It's not all doom and gloom. We had the doom-and-gloom days when the NDP were in government. They're no longer around. The Conservative government is in power now and the good days are here.

2010

**Mr Dwight Duncan (Windsor-St Clair):** I just wanted to briefly say to the member for Trinity-Spadina, as always, he puts on a remarkable display of passion and energy, and consistent and strong views on municipal issues. But I do hope that in his response he takes a moment to address at least one or two of the provisions in the bill.

**Mr Martin:** Aren't we in a feisty mood here tonight? I want to first of all say how much I appreciated some of the comments that the member for Trinity-Spadina—

**Mr Sorbara:** Some but not all.

**Mr Martin:** No, all of them, every last one of them. The member for Trinity-Spadina is a very learned, experienced and knowledgeable member in this place. It would serve people well, to understand how to deliver on the responsibility the government has to communities and people across this province, to listen to the member for Trinity-Spadina.

I just want to say as well, because the member for Bruce-Grey-Owen Sound spoke, I was actually going to say something nice about him but I can't any more. I don't know what rock he's been living under for the last

five or six years or what he's been smoking up there in Bruce, but I'll tell you, it hasn't been good in this province for five or six years. There have been a lot of people struggling; a lot of municipalities are hurting. We've killed some people in Walkerton. We have people who have died who couldn't get what they needed on social assistance. We have all kinds of things.

**Mr Murdoch:** Remember who put us in this hole: \$50 billion in debt.

**Mr Martin:** The member from Bruce talks about putting the province in the hole. If you look at the financial numbers that have been put out by the Minister of Finance over the last three or four years, you'll recognize that this Conservative government that talks so much about cutting spending has actually driven this province into debt further than it was when they took over in 1995. We're in debt billions of dollars more than we were in 1995 because of the spending that you've done on income tax cuts, giving money away to your friends and benefactors, giving money away to people in this province who didn't need it. Is that what you call responsible and accountable government? At least when we were spending, we were giving it to people who needed it. We were putting it into public services that we could all access. This bill here does nothing to improve on their record.

**Mr Peters:** It's always a great evening to listen to the member from Trinity-Spadina because it is wonderful entertainment.

I want to go back to a couple of points that I think are of utmost importance with this legislation that's in front us. One is, do not ram this legislation through before this House rises this year. You've talked about consultation leading up to this legislation. Well, I'll tell you, the people who have come out and spoken in favour of this have not had an opportunity to read this legislation cover to cover. I urge you to ensure that there is consultation, and good consultation, on this legislation.

I want to point out one important aspect in this legislation and that is the recognition in this piece of legislation of the importance of the preservation of the municipal records. My own municipality of the county of Elgin next year is celebrating its 150th anniversary. That county has recognized the importance of preserving its records. The county of Elgin has established a local archives.

In this legislation, starting at section 253, there is recognition of the importance of the retention of records. I would urge you as a government to recognize that the Archives of Ontario cannot do it alone. There is a role for government to play in working with local municipalities to ensure that records are preserved for future generations. But you can't expect the municipalities to do this alone. So I would urge you to look at encouraging municipalities to establish archives, working with the provincial government to help fund these archives, or better yet, start to establish regional archives.

We've got the St Thomas Psychiatric Hospital that is soon going to be empty because of the initiatives of this

government. Why not set up a regional archives and preserve these records for future generations?

**The Acting Speaker:** Response?

**Mr Marchese:** I'm happy that the member from Elgin-Middlesex-London finds me entertaining. That's good. I'm equally happy that the member from Windsor-St Clair finds my speech equally entertaining. I would say to the member from Elgin-Middlesex-London that he should exercise some independence in his thinking and not take the lead from the member from Windsor-St Clair with respect to his comments. I've got to tell you both, and the other member, from the Conservative Party, that you're not rowing the boat—sorry, the ocean wherein you're rowing your little boat is simply not here, member from Windsor-St Clair.

I know you look puzzled, member from Windsor-St Clair and I know you're shaking your little head wildly in disbelief, as if to say, "What is this member saying?" Member from Windsor-St Clair, just to remind you of the three things, the three issues, I mentioned that properly pertain to this bill—maybe you're going to speak tonight so we can hear your pearls of wisdom—were the following. This act says that cities can now change their wards however they see fit, and the city of Toronto will not be able to do that. Member from Windsor-St Clair, this is part of the act. I don't know where you are, but I'm on this bill.

The other matter I raised is that the minister will set standards for provincially mandated programs. If the standards are not met, their funds will be withdrawn. What if they only meet 90%? What happens then? The member from Windsor-St Clair is still shaking his little head in disbelief as if to say, "Good heavens, it can't be part of this bill; I might have missed it."

The third one says that all laws will have to be repealed or confirmed by the year 2006. It's a huge workload. Where's the money going to come from? The member from Windsor-St Clair and the other poor folk and some of the other members are saying, "I don't know where these issues are coming from, and the download does not concern it." Please, I'm waiting to hear your pearls of wisdom.

**The Acting Speaker:** Further debate? The speeches are now of 10 minutes' duration.

**Mr Chudleigh:** I'm very pleased to speak today on the second reading of Bill 111, the Municipal Act, 2001. In 1995 the government made a commitment to bring in a new Municipal Act—1995, member from Elgin, that's when we made the commitment. We promised an act that would be modern, streamlined and easy to use. We wanted to introduce an act that would set out areas of responsibility for municipalities but would not tell them a great deal of exactly what they were permitted to do, nor tell them how to do it.

At the same time, we wanted to make sure of the fine balance that has been established over long years among competing interests, a balance that gives municipalities the authority they need to meet local needs while ensuring a dynamic barrier-free Ontario economy in which



Ontario towns and cities can maintain their competitive position.

After several years of discussion with all affected stakeholders, this legislation maintains that balance. The government released draft legislation in 1998 and it generated a lot of discussion. Since then the government has worked with key stakeholders, including both municipal and business groups, to find common ground and achieve a consensus through long periods of discussion.

Earlier this year, an understanding was reached among key stakeholders on most of the fundamental issues. At the conference of the Association of Municipalities of Ontario in August, the Minister of Municipal Affairs and Housing, Chris Hodgson, released an outline of the government's proposed direction. Reaction by all stakeholders was very positive. If this legislation is passed by the Legislature, it would give municipalities the tools they need to tackle the challenges of governing in the 21st century. It would allow municipalities to organize and deliver their services as they see fit, involving the private sector where appropriate—I'm sure that'll make my friends opposite very happy—and in keeping with local needs.

#### 2020

It would give municipalities broad, flexible authority in 10 specific areas of jurisdiction. Those 10 are: public utilities, waste management, public highways—public highways is an interesting one. When I was elected, the municipalities in Halton were complaining about all the gridlock that was taking place in their communities. Since 1995 the Queen Elizabeth Way has been expanded and streamlined. It is in another area of resurfacing and expansion now. The 403 was completed through my riding during that time period. The 407 was built and completed through the riding during that time period. The 401 was expanded and some changes, albeit small, were made to move traffic faster through that area.

In that same period of time—it's six years since we were elected, going on seven years now—I asked the municipality what they had done to enhance, let's say, east-west transportation. What highways have they expanded? What roads have they completed? None is the answer. What areas have they done in the north-south corridor? They are just now expanding Trafalgar Road to a four-lane road. While the province has done all this expansion on the 400 series highways, they have made one north-south improvement in local transportation. The public highways are a very important part of the responsibilities of the municipalities. The public will know, if there's gridlock on the roads, whose responsibility it is. It's a shared responsibility, but the municipalities have to do their share.

Public transportation systems will be part of the responsibilities of municipalities, and culture, parks, recreation and heritage will also be part of the responsibilities of municipalities.

Heritage is a particularly interesting piece that I have an interest in, because in the area of Halton, back in the bush, not far from Limehouse—Limehouse was named

for the lime kilns that were there in the mid-to-late 19th century—there are seven pot limehouse kilns that are left there. They must've been extremely well built back in the 1850s or 1860s, because from that time to today, those kilns sit there. Two of them are almost in perfect shape.

The dynamite house, which was very solidly built out of stone, has one portion of one corner of the roof caved in, but the rest of the building is intact. The heritage of this particular site: it is one of the finest restorable sites in Canada for lime production, for limestone kilns.

In those days they used to fill it full of wood first. They'd get the fire going as hot as they could. Then they'd shovel in the limestone and they'd keep the fire going for three or four days. When they had finished, that limestone had turned white and it was powder. As you took it out of the kiln, it would crumble and it would go through a hand-driven crusher system. What you ended up with was lime. It was the same process used by the Egyptians to make lime.

Here we have, in Halton, a pristine artifact site that is very restorable. There are a couple of fellows in a group of people from Limehouse who have received a Trillium grant and they're going to restore these buildings and maintain them for the future, a great part of Ontario heritage that will be saved and kept intact. That's a wonderful thing to happen.

We are suggesting that this responsibility for maintaining the heritage, not only of the limestone kilns, but the heritage of the old buildings, the heritage of the original town halls, the heritage of the original post offices or the original train stations in specific towns, will become part and parcel of the responsibility of municipalities. Who knows better what part of the culture in our communities needs to be saved than the people who live right in the area?

There will also be the drainage and flood control that will be part and parcel of the responsibility of the municipalities. That's a very important part. Who else knows better in any given community which areas are subject to flood, which areas should not be built on and which areas should be protected? Again that's an obvious responsibility.

Parking is something that is obviously municipal. There are parts of the province where parking is not a problem, but certainly in some of the developed areas in the greater Toronto area or in the Golden Horseshoe parking can become a significant problem, and that's something municipalities have to adapt to.

Economic and development services is an area that will be municipally controlled in the future. The structures not covered by the Building Code Act will be part of the responsibility of the municipalities, and that includes fencing and signs. It's about time that the municipalities took over responsibility for fencing. For years the fencing act was administered by the Ministry of Agriculture and Food.

There's an old saying in the country that good fences make for good neighbours. I well remember in my youth we had an apple farm in Halton. My brother has it now.

**Hon John Snobelen (Minister of Natural Resources):** What a great memory.

**Mr Chudleigh:** I have a great memory. I can remember back to my youth. That's quite an accomplishment. It gets a little hazy now and then.

Back in those days our neighbours on two sides of the farm—one was a dairyman and one was a cattleman, but they both had these big cows running around in their fields. Of course, in the apple business who needs a fence? You know you don't need a fence, so we never maintained our fences very much. It didn't matter much. Then, boy, about two or three years down the road we started finding out that our neighbours don't like us very much, and we couldn't figure out why. We thought we were pretty nice guys. We finally figured out that our fences had become rather bad. In fact, the agricultural representative, the ag rep in those days, came out to the farm and said, "I had a little complaint about your fences." We said, "Who cares? We don't need fences. He's got cattle. Let him fix the fences."

**Mr Murdoch:** That's awful.

**Mr Chudleigh:** And that's not the way it works, as the member for Bruce-Grey-Owen Sound knows. When you stand in the centre of your farm, the half of the fence on your back boundary on the left side is yours and you maintain it. On every fence you look at, the left-hand side, the half of it is yours and it's your responsibility to fix it. Well, we learned a lesson that day. We fixed up all our fences and then our neighbours started to like us again and life got a lot easier.

So it's about time municipalities took over that responsibility. I think it's an important one that they should have.

They also have in here that they're going to look after animals. I hope they're referring to pets, not farm animals—

**The Acting Speaker:** Thank you. Questions and comments?

**Mr Peters:** I just want to make some comments on what the member for Halton had to say this evening.

First off, I appreciate his interest in heritage. I think it's incumbent on every one of us in this Legislature to do everything we can to ensure the heritage and preserve those historic sites in this province. But, at the same time, I don't think it should all be delegated down and downloaded to local municipalities to do that. If you really want to strengthen and do something for heritage in the province, bring forward a new Ontario Heritage Act. The Ontario Heritage Act has been in place since 1974, and we've seen very little in the way of amendments. I know that my honourable friend from Trinity-Spadina has brought forth initiatives to ensure that heritage buildings have good preservation and have good rules in place so the buildings aren't going to be demolished. So if you want to do something that's good for heritage, don't download it to municipalities; do something like bringing forth a brand new Ontario Heritage Act.

As well, the honourable member makes reference to programs that, again, are going to be downloaded to

municipalities. Fencing is a very important issue in rural communities. Again you talk of downloading these responsibilities to municipalities, but are you going to provide the financial resources to municipalities to hire the staff? I think that's something that's missing in many ways in this legislation. If you went out and did the proper consultation on this piece of legislation that's in front of us here, you would hear over and over again that you are downloading more responsibilities to municipalities but you're not flowing the resources through to them. A good, open public consultation—don't ram this legislation through.

**2030**

**Mr Marchese:** Member from Halton, I appreciate the cheery defence of the bill. You talked a great deal about heritage, and the member for Elgin-Middlesex-London made some good points with respect to the issue of heritage.

Cities do not have the power to prevent heritage buildings from being demolished. They do not have that power; they ought to have that power. This bill could give them the power they seek in order to protect our heritage—yours and mine. The member for Halton might speak to this minor little point, which he may or may not dismiss or tackle. He might want to tackle it, the other.

All cities can now change their wards. The city of Toronto cannot; the city of Hamilton cannot; the city of Ottawa cannot. Why? Because the City of Toronto Act says that they can't change their boundaries on their own because it's prescribed by law by the provincial government.

The member for Scarborough East is here now. He may want in his two minutes to defend what this government is doing or not.

Why cannot the city of Toronto have the power to change its ward boundaries the way other cities do with this act? Maybe the member for Scarborough East, who is here with us today, can comment on that and maybe the member for Halton could comment on the fact that the download of housing, in particular, and many other issues, put an undue responsibility on the property taxpayer that he and she cannot bear on their own. Property taxes cannot pay for housing on their own. It's bad. I wonder if the member for Halton has any comment with respect to it as well?

**Mr Steve Gilchrist (Scarborough East):** I'm of course going to say nice things about this bill. I'm struck by the fact that the member opposite had earlier commented that there was no one from Toronto. I would remind him that while it's been four years since the amalgamation, Scarborough is still part of Toronto. My colleague the Liberal member from Scarborough North and I both represent excellent ridings of people who care as much about the significance of this bill as anyone living in your riding.

When you look at the long-overdue changes that need to be made—the relationship between the province and municipalities, and between municipalities and their citizens—I think what we've put into this bill, after great



deliberation and years of research, is really going to move those relationships forward.

I'm pleased to support this bill. I'm struck by the fact that the member opposite seems to have found a couple of very minor points to criticize while leaving aside the bulk of the bill and the obvious need, one must assume, to make all the other changes, since he chose not to highlight any of those in his critical comments. I encourage him to look at the balance of the bill and spend some time: talk to the businesses in your community, talk to citizens who have been vexed by a lot of things the city of Toronto government does to them, about taxes that are inordinately high—in fact five times higher than some of the surrounding communities—talk to the tenants who are paying four and a half times as much as homeowners for the same square footage, talk to the businesses that are being driven out of the city of Toronto because of the high tax rates, and yet lower services, and I think we can all agree there's a need to change the relationship between the city and its citizens. This bill will help to do that.

**Mr James J. Bradley (St Catharines):** The member for Halton did not dwell at any length, if at all, on the lack of protection for municipalities that are perhaps facing forced amalgamation. I know there have been some pronouncements made on the government side about perhaps backing off these forced amalgamations, but in Niagara there are still Tory politicians who are itching to have one big region, one big everything in the Niagara region. We have a concern. We looked in this legislation to see if there would be forced amalgamation. I looked carefully through the bill to try to determine whether there was protection from that and I could not find that explicitly stated in the legislation.

The member for Renfrew-Nipissing-Pembroke earlier this evening quoted from the C.D. Howe Institute, hardly a left-wing or even a small-l liberal institute, condemning forced amalgamations and talking about the virtue of smaller communities. In addition to this, I have quoted many times from a book called *Merger Mania* by Dr Andrew Sancton of the University of Western Ontario. Both of these people or organizations have made in-depth studies of forced amalgamations and have come to the conclusion that these huge municipalities do not necessarily (a) save money, or (b) provide the kind of responsiveness municipalities need. I find nothing in this legislation to protect municipalities from forced amalgamation.

**The Acting Speaker:** Response?

**Mr Chudleigh:** I'd like to thank the member for Elgin-Middlesex-London, who also represents the town of Dorchester, a particularly favourite spot of mine in Ontario. It's a wonderful place. I see his mailings coming there sometimes. Some of them have some accuracy, some of them don't.

The member for Trinity-Spadina talked about the heritage aspect of this act, whether the municipalities would have that responsibility in their hands. They have that responsibility right now. This particular issue is

probably a microcosm of the difference between the NDP and the Conservative Party. The way it is now and the way it will be in the future is that the municipality that wants to protect its heritage can ask for that responsibility. I don't believe any municipality has ever been denied that responsibility in Ontario. But if it's not important to that municipality, they don't have to ask for it. The responsibility doesn't fall on their shoulders automatically. They have to ask for it if it's important to them.

So people take on the responsibilities they feel are important to them and leave those responsibilities aside in which they have no interest. It's an individual responsibility thing; it's not something that's dictated by government, such as the NDP would take on. It's a fundamental difference in the way we see the responsibilities of governance and the way they saw the responsibilities of governance. As was pointed out by the member for Bruce-Grey-Owen Sound so succinctly in his previous comments, they drove the government into \$50 billion worth of debt, with deficits up to \$15 billion a year. Their type of government, being all things to all people, perhaps doesn't work quite as well as they might lead you to believe in the Legislature this evening.

**The Acting Speaker:** Further debate?

**Mr Duncan:** I'm pleased to have the opportunity to join this debate. Let me start by saying that like my colleagues in the official opposition, I will be voting against this bill. I want to take a few minutes to address it. I think the member from Northumberland related notionally that there was a lot of consultation, and I suspect there was. I'd like to take the time allocated to briefly review some of the components of the bill that I think are worthwhile and praiseworthy; I want to address several issues that have been left out of the bill; then I want to address several issues that are in the bill but in our view are not good steps and not things we can support and which make it very difficult to support the bill in its entirety.

A number of members have talked about past actions of this government, and I want to lend my voice to those who have said that given the way this government has treated municipalities over time, this is really a small step in addressing some of the problems that in fact this government created. We've talked and heard a lot of debate tonight about forced amalgamation, downloading and the ultimate cost to property taxpayers of that downloading. This government, in my view, has left a legacy and a record that will prove itself, I fear in relatively short order, to have been very detrimental to our cities, to the people who live in those cities and to the people who pay property taxes in those cities.

**2040**

I think of my own community of Windsor, Ontario. In light of a downturn, in light of an economic recession, there are going to be pressures even greater on that municipality than there have been up until now: the pressures of a rising welfare caseload and declining property tax revenues; the pressures of a social housing

stock that has been ill-maintained by all levels of government over the course of the last 20 years; the pressures associated with now offering services such as ambulance, which have been downloaded to municipalities. I say, with respect, to the members of the government opposite, there was not adequate compensation in the exchange for some of the school taxes that the province granted at the time it downloaded in such a massive way and restructured how we govern ourselves at the local level.

Like the government, we believe there must be a new relationship built between the province and municipalities. It must be built on the principles of trust and parity. The time of municipalities being forced to come to Queen's Park on bended knee, in our view, must come to an end, and to that end I will offer some ideas that we think will benefit working families and our communities.

The government has properly said that this very large bill, which I have had a chance to peruse, is a complete rewrite of the previous Municipal Act. It is the basic framework and structure of governance and powers of Ontario municipalities. It streamlines the old bill, which I believe was in the vicinity of about 1,000 pages, down to about 350. It doesn't deal with other stand-alone legislation such as the Planning Act and the Building Code Act, which impact on municipalities as well and are major pieces of legislation.

Let me talk to the government for a moment or two about some of the positive elements of the bill, some of the elements that I see as positive and that Dalton McGuinty and the Ontario Liberal Party would see as positive. There is acknowledgement for the first time that municipalities are responsible and accountable governments in the delivery of certain services and are not just the wards of the province. This is indeed a positive step forward. I had the privilege of serving on the city of Windsor's council for some six years and there was always that sense, not as an elected politician but rather as a citizen of that community, that the municipal level of government was not taken seriously. I must say, having had the benefit of serving there for six years and here for six years now, that in fact municipal governments are, in my view and my experience, more accountable, and need to be.

There is a commitment to formally recognize the importance of prior consultation between the province and municipalities in matters that directly affect them. In short, the government is acknowledging, albeit in a backhanded way, that their approach to municipal affairs over the course of the last six years has been all wrong, because in the course of this government's mandate consultation has been entirely lacking. Where there has been consultation with the voters—in the case of the city of Toronto on amalgamation—the government has, of course, ignored the results.

They've provided certain new powers for flexible municipal financing tools, debt and financing roles, wider construction financing tools, greater investment flexibility and new means to partner with the private sector

on the undertaking of public projects. There is some benefit in this, I acknowledge, and I believe those goals are worth supporting. I should say, however, that because of this government's approach to municipalities over the course of the last six years, municipalities are desperate for these tools because the old and more traditional ways municipalities raised funds for their various projects have been severely undermined.

They've granted unilateral powers, including natural person powers, for municipalities in a variety of areas, which we think is a positive step. Specific powers are also delegated for elements of health and safety and the natural environment, which again we see as a positive step.

I should say that this bill incorporates three private members' bills that were introduced by members of the Liberal caucus. My colleague Sandra Pupatello's rave bill is incorporated in this and will give municipalities the ability to license and regulate raves. There is Michael Bryant's and Dave Levac's Bill 104, which allowed municipalities the ability to restrict and regulate the use of fortifications on buildings, and Bill 111 grants these powers to municipalities. These were ideas that were put forward by us. Finally, my colleague from Sudbury's bill, Rick Bartolucci's Bill 24, allows for the licensing and regulation of adult entertainment parlours by municipalities. It gives them expanded powers to regulate body-rub and adult entertainment parlours. We think this is a positive step. We have had legislation on the order paper to this effect for some time.

There are missing elements. Most importantly, from our perspective, the so-called memorandum of understanding that commits the province to consult with municipalities before making policy changes was not included with this bill. The government has only committed to discussing the MOU after the bill is passed. At a minimum, in our view, this memorandum of understanding should have been incorporated into the bill. It would have given it much greater force and it would have forced this government and future governments to deal with municipalities in a more even-handed manner.

We're not going to be allowed to review and debate many of the key elements of this bill because, like so much else, they're left to regulation. The government will do that, presumably without any debate of a public nature. So we have some difficulties with that.

Finally, there are no new powers for municipalities to raise revenues from new taxes. We believe that municipalities should be given that opportunity. We believe they're responsible. We believe in many instances over time they've been more responsible than the provincial and federal levels of government in this area, and we're not afraid to say that they should have the power to make those decisions.

There are some negative elements to the bill that we strongly oppose. The report card provisions of Bill 46, the Public Sector Accountability Act, are transferred to this bill. Municipalities will be forced to use provincially designed report cards, business plans and measurements.



We find this part particularly ironic, given that this is probably one of the least accountable governments in the history of this province. It is a government that resists accountability on many fronts.

Again, as has been cited by a number of my colleagues, there is nothing in the bill to stop forced amalgamations. Amalgamation is still a concern for the town of Tecumseh in my riding, a town that has a long and proud tradition, that wants to maintain its independence, a town that joined with the county of Essex to help reduce the number of municipalities in that county. They are still confronted with the prospect of amalgamation or forced annexation with the city of Windsor, something they, like I, oppose. I would have liked to have seen something in this bill to that effect.

AMO and a number of other groups have lent their support, in broadly speaking terms, to this bill. Not surprisingly, there are elements worthy of discussion. I urge the government—I see the government's House leader is here tonight—that this bill is indeed worthy of extensive committee hearings. We ought to have the chance to amend it. I can say that our caucus has a number of amendments we'd like to put to this bill. I would imagine that by the time the debate has gone further in this House and across the province, other organizations, groups, will have amendments that they would like to bring forward. We would support public hearings across the province on this bill. We think it would be important to have those and we would be more than willing to offer amendments to that bill.

**The Acting Speaker:** Questions? Comments?

**Mr Peters:** I'd like to compliment my colleague from Windsor-St Clair. He brings up a number of very good points, some aspects of this legislation that really haven't been fully addressed by this government. I think one of the most important points that he raises is the issue of the memorandum of understanding. This is such a vital part of the discussions that have taken place that have led to the development of this legislation and I think the point he makes, of the inclusion of the memorandum of understanding in the legislation, is of extreme importance. I would hope that the government listens to what the honourable member has to say and seriously considers the incorporation of the MOU in this legislation.

The other aspect that he raises is the difficulties that municipalities have in trying to develop new revenue sources, because the revenue sources are so limited for a municipal council; the property tax base is virtually it, and user fees. We've seen what municipalities across this province have had to do because of the downloading this government has inflicted on them over the years. It has forced municipalities to come up with new user fees to pay for the costs of services that had been previously provided and supported by the provincial government.

**2050**

I think the government should look at new ways to help municipalities raise revenues, and one of those areas would be to give the municipalities a share of the gas tax. If you look at the hundreds and thousands of kilometres

of roads that you've downloaded to municipalities, give the municipalities a share of that gas tax so that they can help get some new revenues. Again—we've said it over and over—committee hearings. This is a piece of legislation that's too big and too important to this province to ram through.

**The Acting Speaker:** Questions and comments? Response?

**Mr Duncan:** I'll be brief. We will vote against the bill for the reasons I outlined.

I did want to add that one of the concerns I have representing the riding of Windsor-St Clair and indeed the community of Windsor is the downloading of roads, Huron Church Road specifically. I again want to use this opportunity as we debate municipal responsibility to urge the province of Ontario, as part of our response to the security issues and indeed the border issues, as a first step that can move very quickly to address a serious concern for our community and indeed for the province, given the amount of goods that flow across the border at Windsor, to upload Huron Church Road back to the province. It was the responsibility of the province until 1997. It ought to be the responsibility of the province again. It is with the city of Windsor. It's a road that is without question a major link in this province. It's one that the province should take back again in order to begin the process of redeveloping that corridor to accommodate increasing trade and the flow of goods across not only the Ambassador Bridge but potentially future new border crossings.

We look forward to debating this bill further in the House. We look forward to the opportunity to provide amendments in committee, and we look forward to the opportunity to do that throughout the province of Ontario in order that all partners have yet another kick at the can. Consultation did happen before the bill, there's no question, and this bill took a long time. There are elements of the bill that in our view are positive. But participants or stakeholders, whether they're taxpayers, municipalities or municipal politicians, ought to have the opportunity, now that the government has very clearly put on paper where it stands, to respond and propose amendments.

**The Acting Speaker:** Further debate?

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** It's a pleasure to rise in the House tonight to speak on Bill 111, the Municipal Act, 2001. It's interesting to listen to some of the comments that have been made tonight with regard to this new Municipal Act. It's an act that's been kicking around probably for some 150-odd years, and there's no doubt life has changed in rural and urban Ontario in the past 50 to 150 years. The change, the revision of this act has been a long time coming and it's about time that this government's had the intestinal fortitude to introduce this act.

But let me first of all quote what Ann Mulvale, president of the Association of Municipalities of Ontario, said, "We believe that the legislation will go a long way to recognizing the importance of the municipal order of

government, the wisdom of government-to-government discussions."

I think earlier on the member for Elgin-Middlesex-London, in his experience as a municipal politician, was very fair in his comment when he said that whichever government is in power at the provincial level tends to irritate municipal governments. I would concur with that because I think every political party in the province of Ontario over the years has been guilty sometimes of not communicating very well with municipal governments.

However, having said that, I am sure that he will also agree that there are municipalities in the province of Ontario that have been very well managed, both administratively and politically, while others leave an awful lot of to be desired. For instance, in my community in the town of Petrolia in Lambton county, where I had the honour and privilege of sitting on council for six years and then as mayor for nine years, I look at some of the changes we implemented under the old Municipal Act—and there's no doubt that at times it was a challenge to try to stay within the boundaries of the meaning of the act itself.

In 1985, the first year I was elected mayor, we decided as a community, as a council, that we would eliminate building permit fees and imposed fees, and there was a reason for that. Being a small community competing with the larger centres in southwestern Ontario, we were at an economic disadvantage. How do you attract economic activity to your own community? You have to do things in a different manner. That's why we did that. We eliminated the building permit fees and any imposed fees. Guess what happened? People saw the merit of moving and building a new house in that community. It doesn't take a space scientist to realize that you'll get the building permit fees once, when the house or residence is built, but your taxes will go on and on. Furthermore, attracting more residents to the community is good for the commercial sector in the community. I'm sure the member from Elgin-Middlesex has probably done some unique things in his own community over the years.

I heard the member from Trinity-Spadina talk about social housing and affordable housing. Here's a member who talks about affordable housing, but I have yet to see him criticize the city of Toronto where, under their multi-residential rate, they're assessing residents of apartment buildings at a higher rate than they do the commercial sector, to the point where they're paying almost five times as much as a residence.

Why is it that in the city of Toronto there's no apartment building construction? It's all done under the guise of condominiums because condominiums are assessed at the residential rate. What does it do? If you were to take an apartment assessed at \$100,000 in the city of Toronto, the reduction in taxes would be in the neighbourhood of \$1,985 a year. That's a little bit better than \$150 a month. If somebody is paying \$900 and you take off \$150 a month, you bring it down to \$750. If you're on a limited income of \$25,000, \$30,000, whatever it is, it certainly makes that unit somewhat more affordable.

Affordable housing means different things to different people. There is a debate in the city of Toronto with regard to rooming houses. How should they be assessed? For some people, I might suggest that a room that is 10 by 10 or 10 by 12 could be affordable housing on a temporary basis because of, perhaps, some personal difficulties. There are many issues you can deal with. There are many issues this act deals with.

Another one I would like to point out in the town of Petrolia is that we have our own water treatment plant. A number of years ago, in 1976, the government of the day came along and said, "Your water treatment plant is antiquated. We think you should shut it down and buy water from somewhere else." As a community we said, "No, we feel the water treatment plant is adequate. With some upgrades, we can provide potable water to the people of the area." Guess what? Twenty-five years later, after some upgrades on a full-recovery basis, having every residence, business and industry in the community and surrounding area metered so that users pay—if somebody misuses, they pay more. What's wrong with that? Some people seem to have difficulties with this.

The new Municipal Act will also provide natural person powers and spheres. This will benefit municipalities in many ways. For instance, before, things like the blue box program needed special legislation. Even things as minor as dog licensing and regulating barbed wire fences needed specific legislative amendments. Under the Municipal Act, municipalities will be able to deal with that directly.

#### 2100

Municipal corporations will also be able to set up various existing legal forms of business to achieve better value in providing municipal services. Elliot Lake recently required special legislation to set up a corporation to sell cottage lots. I'm sure that if you're aware of the economic situation in Elliot Lake, this is probably an attractive way and a responsible way for the municipality to create a new source of revenue. However, under the old Municipal Act they were not able to do this; under this act they will be able to control their own destiny.

Let's talk about user fees under the new act. The new act will provide enhanced accountability requirements, specifically the minister's authority to divide user fees into different categories with different rules applying to each category. Fees that are often disputed would be in a category that would be subject to more process requirements.

When we talk about user fees and permit fees, for instance, the minister has had to intervene in the past couple of years because municipalities are charging utility companies exorbitant fees for crossing municipal streets. It's a revenue grab. Some may defend it, but I think you have to be responsible. The minister had to issue an order that you could only charge your costs. It was done on a cost-recovery basis. There's no doubt that under the new Municipal Act there will be parameters whereby municipalities will be able to charge a certain levy.



When we talk about business being driven out of Toronto, and one of the members was talking tonight about business being driven out of Toronto, there are a number of reasons. When we look at the tax rates in some of the communities—I don't want to point fingers, but when we look at what's occurring in Toronto and we see the commercial and industrial sector moving outside the area to the suburbs and the surrounding municipalities, why is that? As I said in my opening statement, there's no doubt we have municipalities in Ontario that are very well managed, but the converse of that is that we have others that have not done a very good job in the past. I'm sure this act will help municipalities to deal in a responsible manner in the future.

**The Acting Speaker:** Questions and comments?

**Mr Bradley:** I know that within the 10-minute time limit that's been imposed on members by the new rule changes imposed by this government, the member didn't have—

**Hon Janet Ecker (Minister of Education, Government House Leader):** Rules everybody agreed to.

**Mr Bradley:** No, not everybody agreed to them.

**Mr Duncan:** Under duress.

**Mr Bradley:** It's when you put a gun to people's head and say that it's either death by fire or death by hanging or something like that, and you give them a choice.

Anyway, I was distracted. What I wanted to say to the member was that I know he didn't have enough time within that period of time to talk about the implications of the downloading of responsibilities on to local municipalities, the fact that this bill does not deal with that downloading, does not rectify the situation imposed upon municipalities.

The member for Trinity-Spadina mentioned housing as one. Take away the city of Toronto, where you had a criticism. I can tell you that within the regional municipality of Niagara there's a good deal of apprehension among those who sit on regional council at the potential cost, first of all, of improving and renovating the existing housing stock, which the province has allowed to fall into disrepair, and also of operating those housing units within their jurisdiction.

They feel this is going to be an onerous cost, just as they do with some of the new responsibilities they have in the field of public health, where they have to make cutbacks to meet their budget requirements. This again is in public health and in social services and in terms of land ambulances where, first of all, you were going to foist the whole financial responsibility, and now half the financial responsibility. I hope the member will have a chance to respond to the downloading implications.

**Mr Martin:** There's potential here to get our caucus onside with this bill, but we're saying that a number of things have to happen. One of them is that there be full public consultation at the committee stage and that we not rush through this, as has been suggested, during constituency week. It just doesn't give anybody the time required to do the homework, to get out and talk to people and bring them forward, and to travel.

**Mr Marchese:** We've got two years until this comes into effect.

**Mr Martin:** Exactly. This bill doesn't come into effect until 2003. So we're asking, why the big rush? It took a long time to get it to this point. Why speed the process up to that degree so we have to go out and consult over constituency week, which is only a week away, and then leave fallow the January, February and March time period? That's when we could go out and travel all over the province and hear from all kinds of people so that when we change this very significant act we do that which is going to be most helpful, so it's an act that will do what the government proposes needs to be done and what municipalities out there are calling for.

The other thing we're interested in seeing before we could give our imprimatur to this bill is that this memorandum of understanding be signed; that the municipalities and the organizations that represent them feel comfortable and confident enough that they will actually sign the memorandum of understanding.

If those two things are done and we get proper process here in this place, then we might be able to support it.

**Mr Peters:** I certainly appreciate where my colleague from Lambton-Kent-Middlesex is coming from, his own municipal experience. It's very important that those of us who have come from a municipal background try and bring forward some of our own experiences there. I appreciate his comment about municipalities having to be creative. Every municipal government has been forced to be creative in things they do in trying to attract new business and development into their communities.

One important aspect of this legislation in front of us this evening is section 106, under "Economic Development Services." That is where no municipality shall provide assistance directly or indirectly. I think that's of utmost importance, to ensure that no municipality is going to bonus to try to attract an industry into its community. We've all been faced with it. We've seen the United States offering 10-year tax exemptions etc to try and attract industry. But at least in Ontario we have a level playing field, and that level playing field is being maintained.

But I've got some concerns when you look at section 109, under "Community development corporations." I would ask that a thorough review be done. The member made reference to municipalities being creative. If one reads this, it looks like it could be a back doorway for a municipality to be creative, through a community development corporation providing some assistance or potentially bonusing to try to attract an industry. I would hope that in the consultations that are going to take place there is a very good review of community development corporations in section 109. I certainly hope that this isn't a back doorway to allow bonusing in this province.

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**Mr Marchese:** I wonder whether the member from Lambton-Kent might want to touch on the issue that has been raised by my colleague and friend from Sault Ste Marie, and that is the whole matter of consultations. If

the bill does not come into effect until 2003, we quite frankly do not understand why it is that you need to rush these consultations in the constituency week, which is but a week away. Surely you would want proper timelines or proper consultations to happen, making sure that everyone has the time to be able to understand what is contained in the bill and, hopefully, possibly read the bill to understand how they may be impacted positively or negatively. Give the time that is necessary for that.

Constituency week is an important week for members, where presumably—and most of us do this—we are to be in our ridings doing constituency work with our community where we do not have the time in the course of our duties here in the assembly. During those legislative months, we've got to be here and we don't have time to get into our constituency. Constituency week belongs to our members to be in our constituencies doing work required of us. People want to see us often and we don't have the time, or at least some of you don't have the time, to meet with them. This is a time for government members in particular not to be travelling around the province but to be in their constituencies to meet with people who want to speak to you about this bill and presumably so many other issues of concern to them. There is no need, I say to the citizens of Ontario, to rush these consultations, particularly during the constituency week, absolutely no need at all.

**The Acting Speaker:** Response?

**Mr Beaubien:** I would like to thank the members from St Catharines, Sault Ste Marie, Elgin-Middlesex-London and Trinity-Spadina.

First of all, with regard to the downloading in the housing stock, the shape of the housing stock, I would point out to the member for St Catharines that I am still the chair of a non-profit housing corporation in the town of Petrolia named Mid Valley. The complex is 29 units. It was built in 1978. It's 21 years old. I would invite you to come and look at it. I strongly suggest to you that it is in tiptop shape, that as a corporation we've acted responsibly in the past 20-odd years and we've maintained that as housing stock so the people who are living there can afford it and live in adequate housing.

The member for Trinity-Spadina talked about the consultation process. There's no doubt that an awful lot of consultation has occurred with regard to this bill, and probably more will occur. I would ask the member, when you were in government, you came out with the social contract. How much consultation did you do with the people of the province of Ontario? To the best of my recollection, I don't think there was an awful lot of consultation. It's fine for you to point fingers at this side of the House, but I'm sure there must have been an awful lot of people, just a few short years back, who were probably pointing a finger at you for the lack of consultation.

With regard to constituency week, I totally agree with you that my responsibility during that week is to look after the needs of my constituents. I have done that for the past six and a half years, and I will continue to do that. Whenever somebody wants to talk to me and meet

with me, they're always welcome, and I'm sure my constituents know that.

**The Acting Speaker:** Further debate?

**Mr Bradley:** Again we look at a piece of legislation that has some considerable history. As is the case with many pieces of legislation, it has some supportable elements. The government members will tend to extol the virtues of the legislation; the responsibility of the opposition will be to point out where we think there are deficiencies, something that's missing or perhaps something that isn't the way it should be. I'll deal immediately with the issue of privatization.

What this points to, in terms of its accountability for municipalities, is that they are forced to "identify alternate means of delivering its services, including the delivery of those services by the private sector." My suggestion is that this government is out promoting as much as possible the privatization of municipal services across this province. Indeed, there are some municipalities now looking around at some fat offers coming in from the United States from American firms that have some bizarre schemes that are very attractive. Because they are having to assume new and onerous financial responsibilities, some municipalities are looking with some interest, as I know the regional municipality of Niagara is, to some company in the southern United States that wants to come in and buy the water and sewer system in Niagara. They say, "It's only because we are using it as a tax write-off." That's why they're interested.

Well, some of the examples we've seen around the world and right here in Ontario haven't exactly been shining successes when it comes to privatization of public services. It seems to me that what this government is doing is not only enabling but pointing in the direction of the privatization of those services. Municipalities often trot off to Toronto privately to talk to the former deputy mayor of Indianapolis, who has this great scheme, Skip Kip, or some name like that. He has this wonderful scheme, he says, to privatize services. You don't hear them announce it in their local newspaper, but they trot off to the backrooms of Toronto and listen to this person extol the virtues of privatization. I think that's what is contained within this bill.

I also worry now that the cost of hospital restructuring—restructuring which, by the way, was not asked for by municipalities—is going to be foisted on the local taxpayer. When there was hospital construction, or reconstruction, taking place in a community, the provincial government usually paid something like two thirds or perhaps up to 70% of the cost of that hospital construction, if it was approved by the Ministry of Health. The rest was to be raised by various fundraising efforts within the community. What is happening in more recent years, because there are so many groups and organizations out there trying to raise money as a result of the funding cutbacks from the provincial government, is that we have a circumstance where municipalities are being asked to add all kinds of money and funding to the municipal tax base. In other words, municipal taxes will go up sub-



stantially to pay for hospital construction. To me, that is something that should be within the provincial purview and local fundraising efforts because the municipal tax base already has to absorb so many of the downloaded services from the provincial government.

The friends of the Tories locally, who like to complain about their municipal taxes, love to attack the local municipality because then they don't have to attack their Tory friends, or they close their mind to the fact that downloading has had a substantial effect on municipal governments. An example I gave a little while ago in this House was that of public housing. That is a very onerous financial responsibility being transferred to municipalities. I know the regional municipality of Niagara anticipates that there will be considerable additional costs they will have to bear as a result.

What is missing in this legislation is companion legislation, perhaps, which deals with the Planning Act, because what we have seen is urban sprawl taking place under this government. The government will do a full retreat tomorrow, I'm sure, on the Oak Ridges moraine. Because of the pressure of Mike Colle, the Liberal MPP who represents a north Toronto riding and who has carried this issue in the Legislature, and because of those who have worked with him in the environmental movement and because of public pressure in the media, I suspect this government will do a full retreat, that the white flags will come out tomorrow, that we'll hear the beeping sound as they're backing up, and there will be an order for retreat. Well, I like the fact that that's going to happen, if indeed that's what's happening, but right across this province we've seen urban sprawl continue. What we need are strong provincial planning rules that do not allow municipalities to encroach upon environmentally desirable lands and on good farmland in the province.

I also look at amalgamation, and there is still no guarantee that amalgamation will take place only with the consent of the local municipality.

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I've mentioned in this House many times the excellent book written by Dr Andrew Sanction of the University of Western Ontario called *Merger Mania*, which talks about the dire consequences in many cases of these huge forced mergers. One of the examples he uses is in the metropolitan Montreal area. I've heard Dr Sanction speak, and what he points out with a lot of authority and research is that, first of all, you don't save money with these huge municipalities and, second, that you lose the local accountability that people like to have at that local level.

The C.D. Howe Institute, which is a small-c conservative think-tank, was quoted extensively by the member for Renfrew, Sean Conway, earlier this evening. They came to the conclusion that these forced amalgamations were not good, seldom saved money and did not provide better services. It's a mania that people get into, an obsession they begin to be involved with.

Our local newspaper, the *St Catharines Standard*, could find an excuse every day to say that if only we had

one big region, whatever the problem was would be solved. That seems to have abated recently as the government has backed off after some considerable opposition has arisen in places where they have forced amalgamations.

I worry about section 109, which the member for Elgin-Middlesex-London mentioned, and that is the potential for municipalities being able to bonus through the back door. In the United States, the big corporations or businesses play one municipality off against the other and there are certain concessions which are granted. By the end of the day, it ends up that the business sector is paying next to nothing and the residential tax rate is up substantially. Should municipalities try to make their municipality attractive to business? Of course they should. But I don't think there's any benefit, for instance, in the province of Ontario bidding against the state of Michigan by giving all kinds of grants and money to companies to locate in one jurisdiction or another, and I say the same thing is true of one municipality to the other.

While I'm on my feet, I should talk about—and I know the Minister of Energy was interested in this earlier—these municipalities that can't wait to sell their electric utility. Why do they want that? They can get the money for it. It's instant money. They've lost a major asset but they've got instant money and they can say, "Look, we haven't raised taxes," or they can spend money on their pet projects. I agreed with the Minister of Energy when he was lamenting the fact that in many cases they were simply making money from their hydro utility to use for municipal purposes. I see nothing in this legislation that prevents that from happening, and for that reason I think it's deficient in a number of ways.

#### **The Acting Speaker:** Questions or comments?

**Mr Martin:** I'm always happy to comment on the speeches given by the member for St Catharines. The only problem in this place these days is that they're never long enough any more. The rules have been changed to a point now where you hardly get any time to speak—10 minutes. You can hardly get warmed up in 10 minutes.

The member from St Catharines is always good at pointing out where bills have good points and bad points. He talks about hostages. Every bill that comes from this government, it seems, has something in it that we really have to be careful about. Where it may look good on the surface, underneath, when you really get into it, there's usually a hostage, the member for St Catharines says. I say a Trojan Horse. He mentions the possibility of bonus-ing coming in the back door. That may be one.

He also, I think rightfully, points to the reality that big isn't always better and that amalgamation, which this government is pushing, particularly forced amalgamation, which this bill doesn't do away with, is not necessarily in the best interests of communities across this province. There are many communities across Ontario now that had particular and special characters of their own, had a history and a cultural personality that they presented. That gets lost when you join it to bigger

entities and amalgamate simply to create efficiencies which don't, in the end, end up appearing anyway.

It would do us all well around this place to listen to each other from time to time, and I think the points the member for St Catharines has made tonight are of that nature and in that ilk. I thank him for taking the few short minutes he had here tonight to explain a couple of things that I think we need to be wary of. I would ask him, though, in his response to maybe tell me if he thinks that we need more consultation on the bill and if doing it during constituency week is the right way to go.

**Mr Bob Wood (London West):** I noticed that the member made reference with respect to contributions by municipalities to hospitals and other health institutions in the community. This has been a long tradition in our province, and the city of London has recently made a very substantial contribution to the London Health Sciences Centre. That contribution was made because the people of London wanted to make that contribution. They understand the importance of that institution to their health and to the well-being of their community generally. I think that's a long tradition which should be maintained and encouraged in this province.

He also spoke of municipal mergers, and of course we have a long history of those in this province as well. I would draw to the attention of the House that very few of those mergers have been reversed. Almost all of them have stood the test of time. The only one I know of that has been reversed, actually, is one that this government reversed in Haldimand-Norfolk. So it is quite true that governments of all stripes have from time to time stepped up to the plate and resolved a problem. The experience over time has been that those solutions have been good. I hope the member in his response will identify for us what mergers of municipalities he would reverse if his party formed the government.

I'd also like to comment very briefly on his reference to public-private partnerships. This also is a long tradition of municipalities in Ontario, and those kinds of partnerships have indeed provided good service and good efficiency to people throughout Ontario. I would invite him to tell us which of these public-private partnerships he thinks have not been helpful, which haven't worked for the people of those municipalities. That would certainly be helpful information to the Legislature.

**Mr Peters:** I'm pleased to rise and compliment my colleague from St Catharines on the comments he has made this evening. In almost three hours of debate this evening we've heard the good things in the bill. We've heard some good things in the bill from this side. We've also heard from this side a lot of faults that are in this legislation.

Municipal politicians are the ones who are closest to the people. Municipal politicians, though, unlike ever before, have had more responsibilities placed on their backs as a result of downloading from this government. I think it's incumbent on every one of us in this Legislature that we do everything we can to work with

our municipal partners and truly treat them the way they should be treated.

From 1849, when the Baldwin Act set out the county representation in this province, to today municipalities have made great strides. But we've got to work with municipalities. This piece of legislation is like the Bible to a municipality. This is what is going to guide them. This is what's going to give them the tools. You can't ram this legislation down their throats. You can't spend a few days of consultation during our constituency week to consult on this legislation. This legislation is too important to the municipalities in this province. I think it's incumbent on every one of us in this Legislature to ensure that this mammoth piece of legislation has its just due and is properly consulted on with all municipalities in this province. I plead with the government not to ram this legislation through. Do the proper thing and see that there is consultation.

**The Acting Speaker:** Questions and comments?

**Mr Marchese:** Thank you, Speaker. I congratulate you for having the endurance that you have had this evening to sit in the chair and listen to the rest of us for hours and hours. It must be hard. I couldn't do it. So I wanted to congratulate you.

Second, I want to congratulate the member for St Catharines for always being ready, willing and able to speak on pieces of legislation introduced by the Conservative government. He makes the time because he believes it's important to do that. I know his constituents want to see him and hear him speak on the issues. That's why we are happy to hear from the Conservative members from time to time; take the full 20 minutes and not just sit there and not even do two minutes.

I agree with the member for Elgin-Middlesex-London. He's right. We believe, New Democrats as well, that this is an important bill. Municipalities support this bill, and we are happy to have them come to a committee to tell us why they support it, and we want to hear from those who have some difference of opinion and would like to see it made better, would like to see improvements. We don't believe constituency week is the time to do that. We want to hear from people, as the member for St Catharines noted, who have some concerns about these big cities this government has created, and you're right, Jim.

Professor Sancton said it, but so many other professors said that bigger is not better and bigger is not cheaper. In fact, it costs more. Making it bigger means you're removed from your constituencies. You don't see people as often as you would if you had a little city. You dislocate people and services in a way that is incomprehensible to most people. This government can still do that with this bill. They can still restructure and reorganize however they want because they have the power, they've used it in the past and they'll use it in the future. Speak to those things again, member for St Catharines.

**The Acting Speaker:** In response, the member for St Catharines.

**Mr Bradley:** The clear theme that comes through from the responses, certainly from the member for Sault



Ste Marie, the member for Trinity-Spadina and the member for Elgin-Middlesex-London, is the need for appropriate consultation. There has been pre-consultation, and I think that's important and I want to acknowledge that. But this bill does not come into effect for such a long time that it seems to me to utilize what we call constituency week, when we all want to get back to meet with our constituents and try to get caught up in that aspect of our work, isn't most appropriate. I would concur in the feelings that have been expressed that indeed we should have that kind of consultation to fine-tune the bill. Who knows? If the bill is fixed the way we would like to see it fixed, you might even see the opposition vote in favour of it. That's always a possibility.

*Interjections.*

**Mr Bradley:** Some members think I'm going too far. That can always happen. If only you would listen to many of the good ideas that are brought forward. Listen,

there are at least three of us here who are on the alternative fuels committee. There's a committee where much of the work that is done is on a non-partisan basis, and I think we're going to get a lot done because of that.

I know that my friend from London West wanted me to address some of his issues. I recognize that over the years there has been hospital funding on the municipal tax base. What I'm seeing is a more onerous responsibility financially being placed on the municipalities, and I don't think they can afford it, particularly because of the downloading.

I'm sorry I don't have time to address more of your questions.

**The Acting Speaker:** It being at least 9:30 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

*The House adjourned at 2134.*

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# Journal des débats (Hansard)

Thursday 1 November 2001

Jeudi 1<sup>er</sup> novembre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 1 November 2001

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 1<sup>er</sup> novembre 2001

*The House met at 1000.*

*Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### MARRIAGE AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR LE MARIAGE

Mr Murdoch moved second reading of the following bill:

Bill 74, An Act to amend the Marriage Act / Projet de loi 74, Loi modifiant la Loi sur le mariage.

**The Acting Speaker (Mr Michael A. Brown):** The member has up to 10 minutes to make his presentation.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** This is not a large act. There's not a lot to it. It's funny, we've been working at this for a few years and you certainly get a lot of different letters and things about an act when you start to bring it into this House.

This problem came to my office about six years ago, when it was not ordered but suggested that JPs not perform marriages any longer, and I think in most cases they don't do that any more. I think legally they still can, but they've been asked not to do that because they want justices of the peace to get on with the other work they do.

This caused a bit of a problem in communities if someone wanted to get married and didn't really want to have a religious ceremony. They could go and buy their marriage certificate at city hall, but then they couldn't have the JPs marry them. So this caused some problems if they really didn't want it done in a church. It also causes problems for ministers, because when they're asked to perform a ceremony, their duty is to do it in a religious manner. And there weren't very many that would do it without that.

We have a problem and it's out there today. I get many calls in my office from people who say, "We have our marriage certificate but who can marry us?" Now in Ontario only ordained ministers who are registered legally can do this. This is the reason I've brought this act forward.

It even goes back to the days of Charlie Harnick. I was bugging Charlie to do something when he was Attorney General. It comes under consumer and commercial relations, except that JPs are under the Attorney General, so now we have two ministries involved. You can under-

stand, Mr Speaker, how we run into problems with one ministry, let alone working with two ministries. They certainly can cause us problems. As I say, it goes back to the days when Charlie was here, and since then we've been trying to change this.

When Bob Runciman was the minister, he announced we were going to do this. This was after I had introduced this bill. I think it was Bill 158 at that time and we never had a chance in here to debate it. He announced that the government was going to do this. What happened or where it got lost in the bureaucracy, I don't know, but it didn't happen.

We still have the same problem out there. We still have the problem that if somebody wants to get a non-denominational marriage on the city hall steps, it's tough to do that. We had a list in Owen Sound of two ministers who would do that, and both of them are gone now. I'm not sure who would do that in the city of Owen Sound. I did have a letter in here and I have a letter in my file from the Salvation Army that they would perform this. But the gentleman who signed that letter is not in Owen Sound any more, so I'm not sure whether the people over at the Salvation Army will still do this or not.

It causes problems. People should have the right to decide how they want to get married. Guess what? If you want to get a divorce, you get a lawyer. Maybe we should have some lawyers out there who are able to marry people.

My bill would allow each riding—we have 103 ridings in Ontario—to have up to six marriage commissioners who would be appointed in the same way that we appoint commissioners on other commissions—LCBO, the Niagara Escarpment Commission. What would be the problem with the government appointing six marriage commissioners? It won't cost the government any money. They should be happy in this government, and any other members here, that it won't cost money to do this because the person getting married will pay that cost. We may have to license them, but that will be fine. We appoint them so we'd have to license them; maybe a half-day seminar or something so that they know the rules.

*Interjection.*

**Mr Murdoch:** In a way, yes. I'm sure some of the other members will have something to say and they'll be able to say that when their turn comes.

**Mr Gerry Phillips (Scarborough-Agincourt):** Don't be too sure.

**Mr Murdoch:** That's right. They'll be able to talk when they want to, when they get their chance.



We can set that and we can set the price, what it would cost. The fees could be set here and that would be under regulations. It might cost a little bit of money to do that, but other than that, it wouldn't be—and it certainly could be covered if you had a licence fee for the people who are appointed, if that's what we wanted to do here.

I think it's long overdue that something like this happens. I have the media article right here where it says, "Tories Vow to Take Hitch Out of Tying the Knot. As more couples tie the knot outside church, Ontario seeks suitable knot-tiers." So we've already announced it. As I say, I don't know what happened to it.

**Mr Peter Kormos (Niagara Centre):** You announced a lot of things.

**Mr Murdoch:** The member across says we announced a lot of things, and that's true, but this is one of the things we should be doing and I'm sure he'll agree with me on this. It's not something new and, as I say, we have people who would like to see this happen. I have a letter from Bob Runciman saying that as soon as he could get this done, it would happen. Well, you know what happens. Sometimes ministers change, bureaucrats change, things like that, so it didn't get done.

Here is a letter from the council in Owen Sound saying, "Now that civil ceremonies are no longer being performed by justices of the peace, arrangements for weddings may be made through ..." and it's two ministers in my riding, but they are both gone now. So that doesn't help us any.

I have a letter here from Reverend Franklin Pyles. He was with the Alliance Church and he said he would do that. I would like to read it to you. This gentleman has performed many marriages. He's from the Alliance Church, one of our big churches in Owen Sound, and he had some problems with the way we handle marriages. He came from the States and he performed many marriages there. I'd like to read his letter.

"In conjunction with the other pastors of the Owen Sound area"—so this is through our ministerial association also—"I wish to discuss with you several issues relating to what it takes to get married in Ontario." This is coming from a minister and he's writing this on behalf of our pastoral association in Owen Sound.

"First let me say that one of the things that makes Ontario 'family unfriendly' is the presence of obstacles to getting married. While on the surface, getting married seems as easy to do as can be, in reality it is not. First, the price is high." This is what he says. "If people wish to live together for a certain length of time, they are considered married. No cost. If they attend a church they may post banns. No charge. But, if they are someone who does not have a church, or, it is their second marriage, or at least one partner is from out of province, they must buy a licence, cost, \$100." This was written on April 19, 1999, and that cost may have gone up since then; I'm not sure. "I believe this cost is too high. Many of the fees charged in the province are justified because a service is being provided by the province. In this case the province

provides no other service than registering the marriage. That should require a nominal fee at best.

"A nominal fee at best, except for the fact that the \$100 fee supports the Registrar General who is under the Ministry of Consumer and Commercial Relations. What does this office do besides file marriage certificates as they come in?" I guess that's for another debate. We could debate what that office does, and I think we could look at that on a different day.

**1010**

"One thing they do is monitor the 'legitimacy' of people officiating at weddings in Ontario. I have officiated at, or solemnized, marriages in a number of states and provinces. Never have I seen a bureaucracy like Ontario's. Please look at what the pastor must do to be so authorized according to the attached memo from the Registrar General's office." He had a big, huge memo of what they must do. "Please remember, it costs money to have people check all of that out, file, issue numbers, etc.

"When I solemnized my cousin's wedding in Kansas I dropped into a local county seat, signed a piece of paper saying I was a pastor, and that was that. In Saskatchewan it is a bit more complex, but not much. In Michigan and in many states, there is no such thing as government authorization of who may or may not solemnize marriages.

"This is an especially important point in light of the recent decision that justices of the peace are no longer to do weddings as part of their duties. As we discussed with you, now there is, in addition to the hurdle of the \$100 fee, the fact that only pastors, ie, those who have jumped through the various hoops of the Marriage Act, can do the ceremony.

"Here is what we propose.

"First, lower the fee for a marriage license; \$50 is plenty for the act of filing.

"Second," and this is the one that comes into this bill, "change the Marriage Act so that there is absolutely no government regulation regarding who may, or may not, solemnize the marriage. The only issue for the province of Ontario should be that the couple has purchased a licence, they have signed it, and that they have witnesses to the fact that they have signed it. Same as any contract. All the rest is a religious issue. If they want the mayor to officiate, the bride's uncle, or their pastor, that is their decision and is of no concern to the government.

"These actions will at once make getting married a simple and straightforward matter"—

**The Acting Speaker:** Thank you. Further debate?

**Mr Phillips:** I'm pleased to discuss Bill 74, I think it's called, Mr Murdoch's bill. I'm very supportive of it. I appreciate his introduction of it and I think it's a sensible move. It illustrates the problems we have in government these days of getting things done. The challenge here was that it seems it may amend two different acts, two different ministers and what not.

I personally have always been a supporter of omnibus legislation to change non-controversial legislation. The NDP did this during their reign and I was supportive of

it. I do think we have to find mechanisms around here that allow us to quickly make reasonable changes without an enormous amount of time and effort spent.

To me, on its face, this seems to make an enormous amount of sense and we should pass the bill. But I also think we should encourage ourselves to find ways that things like this are able to be accomplished without having to spend an hour of legislative time, an enormous amount of effort by one member. As I say, I would encourage us to look for ways that we're able to accomplish that. I've always supported what is called omnibus legislation where you bring forward all the changes and if there are in fact controversial issues in them, you remove them and bring them forward in a different bill. But there are probably a thousand things a year we should be amending here that we don't because we get bogged down in the legislative time and it needs to be scheduled and all those things.

On the surface this makes an enormous amount of sense. I believe the faith community by and large would be supportive of it because I do think in some cases they are put into positions where they feel uncomfortable, where they don't know the couple who are getting married and they feel uncomfortable. I think it also helps to reflect the diversity of our province. We are an enormously diverse province.

It would have helped a personal friend of mine. I'll tell this quick little story. I was invited to a wedding at the Scarborough city hall. They have a chamber there for weddings, and on a Saturday weddings take place there every half-hour. I was invited to a wedding at 1:30. I was there at maybe 1:25. I went to the chapel, and one of my clergy friends, a United Church minister, was just leaving. He asked me why I was there. I said, "I'm here for a 1:30 wedding." He said, "I've checked the docket and there's no clergy scheduled for 1:30." So I said, "Would you mind staying around?" My good friend Walker arrived at 1:30. I said, "Walker, have you got a clergy to marry you?" "Well, no. Don't they supply them?" I said, "Luckily, believe it or not, my friend here"—it was just an enormous coincidence. I introduced him to my friend Walker and his wife-to-be at 1:30. They spent 10 minutes together. Then the ceremony took place—I would have sworn that the clergy knew Walker and Suzanne all his life—and they got married. I'll forever feel somewhat responsible and proud of that. In any event, it may be part of Mr Murdoch's bill.

I believe it also is supportive of our kind of Ontario. We are a very diverse society now, and whatever we can do to help to reflect that diversity, we should be moving on. I've often said I view Canada like a flower garden. We had originally one flower, our First Nations people, but we have flowers from all around the world now with different faiths and beliefs, and this reflects it.

I think in most communities the justices of the peace are overworked. Our legal community has difficulty accessing justices of the peace for extremely important matters—not that marriage isn't important, but for matters involving the law. So I think it makes sense on that front as well. It's kind of, as they say, a win-win.

I would add, though, that my recollection is there was some member or members of this Legislature who wanted to introduce legislation that would require people wanting to get married to take a two-week course or something like that. That's my recollection; maybe my memory is failing me. In some respects this heads in somewhat the opposite direction, which is to facilitate marriage and to recognize that it's a choice between two people and that the state does not have a right to dictate how people feel about and prepare for marriage.

So on all counts I think it's a good initiative. I'd go back to the first point I made, however, and that is that I think it illustrates the need for this Legislature to rethink how it deals with obsolete laws on its books and to find mechanisms that—to use a cliché, we're in a fast-paced world. People are moving quickly. Things are changing dramatically. Our economy and our society need their government institutions to be contemporary, to be able to change at the same pace as society is moving, but we don't have that mechanism.

For laws to be changed, we need first reading, we need second reading, we need debate, we need third reading. We are still locked very much in the past, and I would challenge us to look at mechanisms that will modernize the way we do our business around here. Nothing better illustrates it perhaps than Mr Murdoch's bill today to do what I think most people believe is a very sensible move. But it takes an incredible amount of energy to get it done. You've got my support, Mr Murdoch, and I appreciate your bringing it forward.

1020

**Mr Kormos:** We support the amendment to the Marriage Act. It's rather interesting when Minister Bob Runciman—he was the Minister of Consumer and Commercial Relations—announced it with a whole lot of enthusiasm here in the House, I trust after cabinet consultation. I know that particular minister and I know that, far from being a renegade, Minister Runciman would surely have only made that announcement had cabinet thoroughly analyzed it and clearly supported it. So I find it strange that now it's incumbent upon a backbench member, with the modest resources he has in his constituency office, to come forward with this amendment and to not only move it through second reading today, because that could well be the easiest stage in this whole process, but (1) get the bill to survive the prorogation of the House come Christmas and (2) get it in front of a committee.

What this government has done lately, if you notice some of the paperwork that's been floating around, is that interestingly and uncannily, the number of bills that are being referred to general government has—Mr Guzzo, you should be aware of this. The general government committee has all of a sudden become a very popular repository for government bills. No kidding, in view of the fact that Mr Guzzo's successful bill on second reading was similarly referred to—oh, could it be?—general government. Uncanny, isn't it, that all of a sudden general government has become so popular.



Nonetheless, the issue today is whether this Parliament agrees in principle with this proposition. When Minister Runciman, on behalf of the government of Ontario, made the announcement—how long ago was that now? A good chunk of time. I canvassed, and I'll admit to you right off the bat that it wasn't every single clergyperson in my riding, but I canvassed what I believed to be a representative number of them because I was concerned that the clergy may have concerns about this type of proposition, that this was an inappropriate, let's say, secularization of marriage.

On the contrary. Just as you've heard from the sponsor and author of the bill his references to clergy he's consulted, clergypeople I spoke with acknowledge the difficulty that they have accommodating from time to time people who want a purely secular marriage. They acknowledge that there are people who do not want the faith component, the religious component, in their marriage ceremony in the exchange of marriage vows. The clergypeople I talked to from down in Niagara thought this was a good proposition. It solved a whole lot of problems. I think it's a good proposition as well.

If you take a look, though, at the Marriage Act, then the author/sponsor of the bill is quite right. Judges and justices of the peace have the power to perform marriages. My understanding is similar to Mr Murdoch's in that JPs have been sort of encouraged not to, and if some of the purely anecdotal comments that I've received are accurate, judges have to seek some sort of dispensation, depending upon the venue for the marriage ceremony, at the very least. And besides, judges are busy. Our provincial judges are working with incredible caseloads and delivering very complex judgments on a daily basis. Our judges are incredibly busy here in Ontario. Some of them remain busy even into their retirement as they serve as supernumerary judges. Some judges have been more interested in doing civil marriages than others. Many will go through the ropes they have to go through if it's for a family friend or a member of their family, and I know that judges have from time to time done that.

In the Marriage Act, you've got sections 20 and 24. The interesting thing about the Marriage Act is that if—you've got to take a look at section 31—persons holding themselves out as authorized to perform marriages aren't authorized, the people who undergo their exchange of vows, if you will, in front of that party cannot subsequently, if they carry on and treat the marriage as a marriage in good faith, attack that marriage as being invalid by virtue of the person performing it not being licensed or authorized. Now, that doesn't excuse the person who isn't licensed or authorized, because then they're subject to a penalty appreciating a fine of not more than \$500 for having performed a marriage when they're not authorized to do so.

There are a couple of questions, though, that I would put to the sponsor of the bill that I hope he would respond to.

(1) Why the limit of six per riding? For some ridings that might not be an inappropriate number. But look,

when you're Howard Hampton, representing the riding of Kenora-Rainy River, it's larger than France. When you're in a riding like Timmins-James Bay, represented by Mr Bisson, again you've got huge geographic expanses. You've also got a whole lot of incredibly isolated communities. One of the things that would be interesting, because this bill should go to committee, is to provide some rationale for the number of people being appointed. But also understand that this bill can accommodate people living in distant, far regions like the far north. It can accommodate people living in isolated communities.

I think it would be very interesting to see the response of the native aboriginal community to this bill. I believe, along with any other number of very diverse ethnic and cultural groups in our province, that it may well accommodate them in a way that the Marriage Act, with the prerequisite—because, you see, the Marriage Act requires under section 20 that a person who, other than a judge or justice of the peace, is going to be entitled to perform marriages be in a religious institutional structure that is ill defined. You know and we all know, we're all aware, that the Church of Scientology spent years obtaining the right to have their clergy, for lack of a better word, perform marriages for people who belong to that particular movement. Again, I'm trying to choose words very carefully so as not to offend anybody. There's a whole lot of debate about that. But at the end of the day it seems to have worked out quite well.

What I'm saying is that this bill, then, accommodates other parallels based on ethnicity, based on culture, based on belief as compared to, let's say, religious faith and permits people to respond to the special needs of those respective communities. But that's where we've got to really speak to the matter of, why six?

(2) Clearly this is a patronage pipeline. It has the capacity to be that. That's why what I'm questioning now is the three-year terms on appointment. The lineup by people who want to exploit their intimate relationship with the government in power—and look, before you condemn me, I spent an awful lot of time on that boards, agencies and commissions committee that screens people applying for any number of appointments. That committee room just reeks of foul patronage. The dogs that were being advanced for any number of positions, you could hear them barking all the way up the Queen's Park hallway as they were led in on leashes by Tory handlers—muzzled, of course. One of the secrets that was soon uncovered was that you just keep these political hacks quiet. You'll muzzle them, shut them up and let them take their marching orders from the whip on the government benches.

Look, there's potential for patronage here. So be it. But I think we can control the patronage a little bit. The issue, really, in this area should be one of merit as well. In response to Runciman's announcement, I had two contacts from people in my own riding. One was a stranger to me; one I knew well. The gentleman who said, "Look, I'd really like to apply for the position being contemplated," I tell you has not been particularly par-

tisan in any respect, way, shape or form but has a background and a set of standards and ethics and a compassion for people that that person would be an ideal candidate. He also has a broad sense or a broad understanding of the sorts of resources and support systems that are available in the community. I can tell you I know, by knowing him as well as I do, he would be incredibly cautious as he approached a marriage between people.

1030

People from the government backbenches, as Mr Phillips did, have talked about people having to attend courses before marriage. It's remarkable that people can enter into that profound a contractual, among other things, relationship without even needing independent legal advice. There's no other relationship with such profound liabilities that people enter into where the current state of the law would have required them, yes, in fact to get independent legal advice on that boilerplate lawyer's certificate that lawyers sometimes charge outrageously for—well, they do; other times they don't—indicating that the party has received independent legal advice and advising them of what the consequences are of entering into this particular relationship.

There's got to be some standard of training and constant contact with people performing this role. They've got to be the beneficiaries of some sort of constant upgrading or at least the maintenance of skills or the development of those skills initially, the maintenance of them and the upgrading of them to ensure that they're complying with the law, to ensure that they know the seriousness of the work they're doing and, again, to equip them to deal with any number of issues that arise.

This is a secularization of the role of conducting the marriage ceremony. Mr Murdoch is very much in tune with the times by virtue of his sponsorship of this bill. Just as this government introduced same-sex spousal benefits to the province of Ontario with the support of opposition parties, this bill recognizes the changing realities and the inevitability of the fact that people are going to be—as we know people have with strong passions—pursing the right to marriage, the right to that contractual relationship without having to be screened or filtered by the standards imposed by one religious group or another. This provides that opportunity. This provides an outlet without in any way diminishing the seriousness of the ceremony being performed and the seriousness of the obligations being assumed and the responsibilities being imposed upon entering into that agreement.

Back some years ago Al Capp—remember Al Capp, Li'l Abner, Marryin' Sam? You got a \$5 weddin', you got a \$10 weddin', and if you went all out you got the \$20 weddin'. I'm surprised you didn't call this the Marryin' Sam/Samantha bill, Mr Murdoch. It was the first thing that came to mind.

*Interjection.*

**Mr Kormos:** That's right. I suggest that the majority in this Legislature are old enough to well recall Al Capp, Li'l Abner and indeed Marryin' Sam or Samantha.

*Interjections.*

**Mr Kormos:** Maybe. I don't know. He was in law school. What would he know about Al Capp and Li'l Abner and Dogpatch?

This is what we do. I would advocate a prohibition against charging fees and let these people operate on the basis of honoraria. I would also submit that, in the context of the Marryin' Sam imagery, there actually be a prohibition against advertising. I don't want people assuming these positions to regard it as a source of income or a business venture. I want responsible people, and I think they're out there, who rely upon the honorarium that so many clergy do by virtue of performing marriages that respects the ability of the parties to pay. I think the mere listing in any given marriage licensing office—to wit, city halls—be it on a computer or in a hard copy of the names, addresses and phone numbers, of these civil marriage commissioners would satisfy the need for people other than by word of mouth to find and identify a Marryin' Sam or Marryin' Samantha that they wanted to access. That would abolish all of the Las Vegas imagery of the marrying Elvises. Again, far be it from me to tell people that they shouldn't be married by somebody dressed up like Elvis. It could really be Elvis, but it avoids the tawdriness of that sort of imagery.

**Mr Morley Kells (Etobicoke-Lakeshore):** It's a pleasure to rise today to support my honourable colleague's bill, An Act to amend the Marriage Act. As Mr Murdoch has just stated, couples looking to get married in certain areas of Ontario are having difficulty accessing officials to solemnize non-religious marriages. Actually, the bill does point out the closeness that the honourable member has to his riding. He's always bringing things from his area into the House that are provocative, that quite often make members like myself from the city just realize that although Ontario is one place, it's a number of places with different ideals and different cultures and different problems indeed. So this bill really speaks to a unique situation that maybe isn't prevalent in all parts of Ontario but certainly is the case in many of our rural or more isolated areas.

Perhaps in this regard it's timely to review the rules by which marriages are legislated in the first place and who can perform those marriages.

Religious marriages can only be performed by those who are registered under the aforementioned section 20 of the Marriage Act. In addition to registering with the registrar general at the Ministry of Consumer and Business Services, that individual must have the following points to be so designated: he or she must be ordained or appointed according to the rites and usages of the religious body to which he or she belongs; he or she must be duly recognized by the religious body as entitled to solemnize marriages; he or she must be within a religious body that is permanently established; he or she must be a resident of Ontario and his or her parish must be, in whole or in part, in Ontario and fall under the control of the Legislative Assembly.

Non-religious marriages, or what are more commonly known as civil marriages, are covered this way. Under



section 24 of the act it states, "A judge, a justice of the peace ... or any other person of a class designated by the regulations may solemnize marriages under the authority of a licence."

Although section 34 of the act authorizes the Lieutenant Governor in Council, which of course is the cabinet, to make regulations designating classes of persons for the purposes of section 24, no regulations have yet been made to date, which is obviously the member's point. In other words, current law permits only a judge or a hard-to-find justice of the peace to perform civil marriage ceremonies.

As Mr Murdoch has already said, residents of rural Ontario who prefer to have a civil marriage often have difficulty in finding a justice of the peace who can solemnize their marriage. Where there's likely to be the availability of religious institutions and clergy in a community, the availability of registered civil officials, being justices of the peace or judges, is just not the same.

I am here today because my colleague and I believe that Ontarians should be given an expanded choice between having religious or civil marriage services. Although that choice technically exists, the difficulty of getting access to officials who solemnize these marriages reduces the choices Ontarians have.

I recall years ago—when you get into something like this, it brings back memories—a good friend of mine was to be married at Toronto city hall and I was the best man. Actually, I was terribly impressed because it was the one and only occasion that I had to be involved. I don't know whether it was the majesty of old city hall or the fact that we were young men and terribly impressed with officials, but it was a kind and moving ceremony and it worked out very well. That was some 45 years ago. That's why the honourable member's bringing forward this bill intrigues me because I just assumed that these things were still available and that there was no problem at all.

1040

In addition, we are looking to provide choice, within reason, for Ontarians to choose when and where they can get married, should they choose to have a civil marriage. Marriage is an important event for many people, and although the ceremony and celebration varies among many people, the ideal time to get married is not always on a Wednesday morning in the winter, when that might be the only time a justice of the peace is available. What I would like to see is the ability to respond to the demand for marriage officials when the demand is high.

We are not asking for a marriage factory or a marriage mill where drive-through marriage ceremonies can be conducted. We are simply asking that Ontario couples be given access to a dignified marriage ceremony, should they so choose, and to have a civic official there to provide that service, should they so decide.

In relation to the question of commissioners and terms of service, I think that could be handled in many ways. I take seriously the previous speaker's concern about fees. It would seem to me that for we MPPs, who have access to the public and the public has access to us, or should

have, it could be one of those expanded duties we could perform. It might be one of the best and what I call "good-feeling" things that we do as members.

The one duty I perform most often in my office is using my signature as witness or in some legal way that I'm legislated to do to provide this service to my constituents. It's a pleasure to do it and it's a pleasure to do it without a fee. It makes the government work better and it gives the public a better feeling about the institution of government. If this is a problem, and I can see it even happening quite often in my own riding—I'm a city member, as most of you know—I can't see why, with a little training, the average MPP couldn't, with dignity and dispatch, perform the wedding ceremony.

I was looking around for a way to finish and a way to add some, perhaps, levity to this very serious bill and—

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** Hurry it up.

**Mr Kells:** —just let me finish—and I came upon the Frank Sinatra song, Love and Marriage. I won't sing the whole song for you—

**Mr Steve Peters (Elgin-Middlesex-London):** Oh, don't sing.

**Mr Kells:** No, I can't sing, but I will just read quickly the first two paragraphs:

Love and marriage, love and marriage

Go together like a horse and carriage

This I tell you brother

You can't have one without the other.

Love and marriage, love and marriage

It's an institute you can't disparage

Ask the local gentry

And they will say it's elementary.

But it's not elementary if it's not readily available to each and all.

**Mr Peters:** I want to stand and express my support and my congratulations to the honourable member for bringing forward this piece of legislation. I can tell you that in the past two and a half years of service here in this Legislature, a number of ministers, clergymen, lay people and even justices of the peace have come forward asking that we consider this type of legislation and these legislative changes. I will throw a little fault on the government because they've been very slow in replacing justices of the peace and there have been areas where justices of the peace have not been replaced, so it's put an added burden on their job. So it's partly their own fault.

I want to speak in favour of this initiative. I think there need to be some clear standards and training for individuals who are going to perform these ceremonies. We can't have a layman just coming off the street and receiving an appointment to perform a marriage. I think there have to be some clear standards and training involved in the preparation of an individual for performing these services.

I want to comment too on the concern about political appointments. I would not like to see this as a means of

reward for individuals for service to any particular party, be it the ruling party right now or the Liberals or the New Democrats. The process of appointment must be clear and transparent, and not be a process that is going to allow this to become a patronage issue.

Like Mr Kells, I too would like to add a little bit of levity to this issue. A couple of years ago, two good friends of mine, Crystal Fulton and Glen Phillips, published a book, *Four-Foot Cucumbers, Juvenile Delinquents and Frogs from the Sky! Snippets of Life in Victorian Canada*. This is just to add a little bit to the discussion today, to add some thoughts of Victorian Canada when it comes to marriage. Most of these articles are taken from newspaper accounts across Canada.

"Newspapers assumed an active role in the drama of courtship. Besides printing wedding notices, marvelling at scandalous elopements, and generally remarking on the power of love, they also readily dispensed advice about the proper selection of a mate."

I'm going to quote from a few newspapers across Canada and some of their thoughts on marriage. This is from the *Truro Advertiser* in 1867. There was an advertisement, "A lady advertising for a husband says she wants a full-grown man. None under 6 feet need apply. A chance for one of our tall Truro boys."

The member for St Catharines spoke to me earlier about his support for this legislation because he's had individuals come to his office supporting this initiative. This was an article that appeared in 1872 in the *St Catharines Evening Journal*, and it's entitled "Epidemic." "The marrying and giving in marriage fever has broken out again in this town since Easter, and so many young folks are joining their fortunes together for better or worse that it would make your head swim to count them."

**Mr Mike Colle (Eglinton-Lawrence):** What's marriage fever?

**Mr Peters:** I don't know what marriage fever is.

The *London Free Press* in 1877 reported, "Six and a half feet of bride stood before the altar in a Dundas Street church the other day, and promised to love, cherish and obey her five feet of bridegroom, and that's the long and short of it."

There's another article, and this one is kind of interesting. This is from Manitoba in 1884, the *Portage La Prairie Weekly Tribune*. "Two young Portage ladies took advantage of their leap year privileges"—and just to interject for some of the young people, when you have a leap year, it's OK for the woman to ask a man to get married. I didn't know if you knew that, but keep that in mind, some of you pages, down the road, to be ready for that.

These two young ladies "took advantage of their leap year privileges the other day and proposed to a young dry goods clerk who works in an Avenue store. He accepted both offers, and then one of the young ladies was cruel enough to say that she was sorry he accepted her offer because she would sooner have a new silk dress than him."

We'll go on. This is from the *Acton Free Press* of 1886. "The Course of True Love: A few days ago, John Mooney, of Erin, cut his foot so badly while chopping wood that he could not leave his bed. To be crippled was bad enough at any time, but what troubled John most was the fact that his wedding day was fixed, and now an indefinite stay in the proceedings loomed up. However, as the *Fergus News-Record* states, the bride elect, daughter of Mr and Mrs John McDonald, a neighbouring farmer, was a true-hearted girl, entering into matrimony from the best of all motives, pure and unalloyed affection, and the groom being unable to go to her, she went to him, and the marriage ceremony was performed on Dominion Day, the date arranged, while he lay helpless upon his couch."

Another common theme we don't see very much of any more in marriages, and I think it should come back, is the practice of a charivari, which was celebrating the marriage when the young couple was on their honeymoon and they came home and found their house in disarray, toilet paper in the trees, cornflakes in the bed and things like that. I've never partaken in any of these charivaris, but it's something that doesn't happen very often. Here's one, a charivari that didn't come off.

Mr R.R. Hall, of a village just outside of Kingston, "has again taken to himself a wife—Mrs Daly, of Kingston. The ceremony was performed at Kingston, and the newly married couple arrived home on Wednesday evening. Of course, a charivari was organized; this appears to be one of the barbarisms which civilization is unable to shake off or put down, and against which there is no protection. The mob assembled on Thursday night with their horns and pans, but Mr Hall met them with a compromise, and liberal 'treating' bought them off." That was from the *Kingston Daily News* of 1873.

1050

One of the things we've seen is the number of marriages these days ending in divorce. I think the number is very close to 50% of all marriages today ending in divorce. It's much easier to get a divorce today than it was many years ago.

Here, from the *London Advertiser* from 1889: "Judging from present signs, the divorce cause list for the next session of the Senate will be heavy." Divorces had to be approved. "In three cases notice has been given already, and a fourth notice is expected. Three cases come from western Ontario, and the fourth is from British Columbia. Divorce in Canada is an expensive luxury, each being estimated to cost at least \$1,000."

There's a bit of trivia from our past in Ontario. I just want to commend the honourable member for this initiative, because I think it is one that is going to be most welcome across this province.

**Mr Tascona:** I'm very pleased to join in the debate of Bill 74, An Act to amend the Marriage Act. I think it has been fairly clearly stated by the member from Etobicoke West, in terms of dealing with An Act to amend the Marriage Act, what we're doing here is specifically amending one part of the Marriage Act to allow for civil



marriage ceremonies to be broadened in terms of who can perform that ceremony. Right now, it's restricted to justices of the peace or judges. What I think the member from Owen Sound is trying to accomplish here is to allow for greater choice in terms of who can perform those ceremonies and also to meet the demand that's out there, not only in his riding but in other ridings, a demand not only for it to happen but also the respect for the institution itself in meeting the wishes of the people who want to be joined in marriage, in terms of being able not only to accommodate their schedules but also to give some dignity to what they're going through.

The pressures on justices of the peace and judges today in terms of administering our court systems are tremendous, and obviously they have a role to play. Perhaps at one time they had greater time to play that role. I don't think that may be the circumstance today. Obviously, the evidence we've heard here today from the different speakers would support that that's not the case.

Religious marriages can only be performed by those who are registered under section 20 of the Marriage Act. In addition to registering with the registrar general at the Ministry of Consumer Affairs and Business Services, the individual has to satisfy a number of other criteria. What Mr Murdoch is focusing on here is non-religious marriages, commonly known as civil marriages under section 24 of the Marriage Act. That is specifically where we're looking to amend the act. I think the member from Etobicoke-Lakeshore correctly pointed out that the Lieutenant Governor in Council hasn't made any regulations under that specific act to deal with the situation, though it does have authority in section 34 of the act to do that.

The choice technically exists, obviously, with respect to civil marriages, but the difficulty, as I think the member has correctly stated, is getting access to officials who will solemnize civil marriages. You always hear of people going to city hall and getting married there, but a justice of the peace or a judge would have to perform that ceremony, and if time restrictions are present, which they are in this day and age, you're not going to have anything more than a very regimented routine in terms of the marriage ceremony taking place. I think what the member from Owen Sound is trying to accomplish is some flexibility in the process and not do anything else other than make the procedure more efficient.

I'm going to give my time to the member for Northumberland because we believe in fairness here, but I want to say that I think the House should give this piece of legislation some serious thought to ensure that we have dignified marriage ceremonies and flexibility in the system.

**Mr Doug Galt (Northumberland):** I can support this piece of legislation enthusiastically. I am rather disappointed that it is necessary, but with church attendance and the recognition of our religious organizations, this is reality in Canada and in the province of Ontario, and I think it's our responsibility as legislators to meet the reality and to meet the needs of Ontario. Certainly when it comes to marriages, that is not happening presently in Ontario.

Having said that I support the legislation, I have some concerns with it, and I hope that some of this will be sorted out in committee. What the member is bringing forward suggests six marriage commissioners per each electoral riding, some 103 electoral ridings in the province. I really don't know whether that might be a realistic number to fill the gap or not, but certainly as we look at other provinces—BC, Alberta, Manitoba—very large percentages of the marriages there are being carried out by marriage commissioners. Obviously we're going to require some training of these individuals, which is not covered here, but I expect it would be in regulations; things like record-keeping, things like the setting of fees and even counselling. Counselling is something done in connection with religious ceremonies, and I think because of the seriousness of this particular activity, counselling would be a very, very important part. Probably a marriage is one of the, if not the, most significant decisions a human being makes, and because of that it should not be taken lightly. It's a very personal one that people take, but also down the road it can have some extreme financial implications, and if the proper records are not kept, then that makes it very difficult for judges to make those kinds of decisions when it's necessary, and also some of the family decisions, particularly if the marriages should end up breaking up.

"Until death do us part" really doesn't hold true in a lot of marriages today, so I see a need for guidelines and parameters to ensure that there is consumer protection here in Ontario, but I congratulate the member for bringing this particular bill forward. It was also brought forward by the member for London West, I think, previously. I look forward to it going to committee and having further discussion.

**The Acting Speaker:** Response?

**Mr Murdoch:** I'd like to finish the letter I had, in this short time.

"These actions will at once make getting married a simple and straightforward matter and also an affordable one.

"Be bold. Sweep away this musty apparatus from the past. The pastors will thank you.

"On behalf of the Owen Sound Ministerial, I remain,

"Your friend,

"Rev Pyles, Senior Pastor" of the Alliance Church.

I just wanted to finish that.

Now I'd like to thank the speakers who support this bill today. There was Gerry Phillips from Scarborough-Agincourt; Steve Peters, with his anecdotes, from Elgin-Middlesex-London; Peter Kormos, from Niagara Centre.

Peter, I used six because I thought of the Rainy River district, because you'd need one in Fort Frances, one in Kenora, one in Dryden, one in Ear Falls. So, yeah, that's when I was thinking of six. I'm open on that; that's where a committee could look at that. The patronage of the appointments? I don't know how you get around that. I sat through opposition, I sat when your government made them, and I always said the government of the day has to live with who they appoint, but they should look—

**Mr Kormos:** We were appointing Liberals and Tories.

**Mr Murdoch:** You could have been, and that's fine. But we have to look at who we appoint, and we should be looking at it and not looking at what they are—Liberal, NDP, Conservative—good people who are concerned because marriage is an important thing and we want people there who are concerned about that. Again, I'd be open to that.

Morley Kells, from Etobicoke-Lakeshore, mentioned that maybe there is life after politics, that MPPs could do it. Or as MPPs here, maybe we have that authority. We do sign documents. I sign documents for birth certificates, for passports and things like that, so maybe we could do that.

Joe Tascona, from Barrie-Simcoe-Bradford and Doug Galt, from Northumberland—I appreciate all the people here supporting it. I think this is one of the important things, that all three parties in this House support something. That's certainly a step forward. Maybe our ministry will bring it forward, if I can't do that, and maybe the justice committee should look after this.

**The Acting Speaker:** This completes the time allocated for debate on this item. I will place the question regarding this item at 12 o'clock noon.

1100

PUBLIC SECTOR EMPLOYEES'  
SEVERANCE PAY  
DISCLOSURE ACT, 2001

LOI DE 2001  
SUR LA DIVULGATION DES INDEMNITÉS  
DE CESSATION D'EMPLOI  
DES EMPLOYÉS DU SECTEUR PUBLIC

Mrs Bountrogianni moved second reading of the following bill:

Bill 53, An Act requiring the disclosure of payments to former public sector employees arising from the termination of their employment / Projet de loi 53, Loi exigeant la divulgation des versements effectués aux anciens employés du secteur public par suite de la cessation de leur emploi.

**The Acting Speaker (Mr Michael A. Brown):** The member has up to 10 minutes for her presentation.

**Mrs Marie Bountrogianni (Hamilton Mountain):** Bill 53 is An Act requiring the disclosure of payments to former public sector employees arising from the termination of their employment. This is my second attempt to bring accountability to this issue. About a year and a half ago, I introduced another bill that passed second reading and was referred to the general government committee, but because the Legislature was delayed it died on the order paper, as well as any other bill that had not passed third reading. There are a lot of other topics that I would have loved to bring forward as a private member's bill, but I feel very passionate about this because it has to do with democracy, it has to do with open accountability

and it has to do, basically, with the waste of taxpayers' money which could be used for health care and education.

This was motivated a year and a half ago by some extremely beautiful golden handshakes to unaccountable senior CEOs in the public sector in Hamilton. Then, upon researching these golden handshakes, I discovered, in consultation with my colleagues, that these golden handshakes were not just limited to Hamilton; they were across the province. Obscene amounts of money were paid out for severances, about which the public did not have a right, and does not have a right, to pick up the phone and say, "How much is the CEO of that hospital or of that board or of that city council leaving with?" We don't even have that right, number one. Number two, the amounts at times—not always, but at times—were obscene because, let's face it, it's easier to let them go quietly if you give them more money. So there are two things here: the openness and the waste of taxpayers' money. At a time when programs are being delisted from OHIP, at a time when special education budgets are being cut, we could be using these millions and millions of dollars for those programs.

I'll just give you a few examples from my hometown but also from across the province. The transition board from Ottawa bought out 72 senior civil employees for \$13.4 million; former acting regional chief administrative officer Mike Sheflin, \$600,000. I want to remind this House that this information was sought by some very clever reporters under the freedom of information act. This was not open to the public. None of what I'm about to say to you was ever offered to the public—a former city commissioner of engineering and public works, \$408,000; seven other public employees, more than \$300,000 each.

Just very recently in Hamilton, former city manager Doug Lychak, \$359,000; city of Toronto former chief administrative officer Mike Garrett, \$500,000; Hydro Ottawa, former secretary-treasurer and director of finance Wilmer Barber, \$309,000; and very recently, Ottawa Hospital former CEO David Levine, over \$700,000. Actually, it was 730—did I say thousand? I meant million, no, thousand—\$730,000. You see, I can't even say these numbers they're so big. I can't even perceive getting this much in severance.

David Levine qualifies for a payout, according to the Ottawa Sun, equalling about \$729,480 over two years. This would have paid for three labs for patients, \$750,000, or the amount spent on health care for 426 people between 15 and 44 years old for one year, or 27 defibrillators for the city, or a nuclear medicine camera valuable for diagnosing strokes, Alzheimer's, coronary artery disease and other ailments. One severance package could have paid for any of these important pieces of health equipment or other services.

Getting back to Hamilton, this probably started before Dr Jennifer Jackman, but Dr Jennifer Jackman, who was the CEO of Hamilton Health Sciences, really was the golden handshake of golden handshakes, the mother of



golden handshakes. In 1996 the initial settlement potential was \$1.8 million. With all due respect to Dr Jackman, she didn't leave on good terms from Hamilton. This was eventually reduced to \$800,000, we think—we think; we're not even sure. We don't know how much Catherine Rellinger, the former president of Hamilton Mohawk College, received. She left before her contract was up. Again, Mr Rowand: his initial severance figure when he left Hamilton Health Sciences was half a million dollars. We don't know the final figure.

I want to emphasize that I'm not criticizing the individuals. It's human nature to look out for yourself. They're not breaking any laws. They've got their contracts and if they're let go or they're forced to go or they want to go, they're going to take care of themselves, and they do. It's the law that is wrong.

Windsor Regional Hospital, former CEO Lloyd Preston, \$675,000. We're talking severances here. Windsor former police chief John Kousik, \$250,000. Then there are former superintendents of school boards. When school boards amalgamated, a lot of the superintendents and some of the directors were considered redundant, and we don't have a right to know how much they received. We do have a little bit from freedom of information. The Greater Essex County District School Board former superintendent of human resources received \$170,000, plus \$85,000 in benefits. This is because he was redundant because there were two of them from amalgamation, and therefore he got this golden handshake.

Ontario Hydro former CEO Alan Kupcis, \$942,000. I can't imagine that. This isn't IBM, Pepsi-Cola, Coca-Cola. These are public sector employees. Kitchener-Waterloo Grand River Hospital former CEO Al Collins, \$200,000; and Toronto St Michael's Hospital former president Roger Hunt, \$360,000.

At least in Hamilton—and I look forward to hearing from my colleagues from across the House—that money could have been well used for health care and education.

Very recently, one of my constituents brought to my attention that yet another health program for seniors was cut in Hamilton. Mr Ross Hopkins is 72 years old, he's suffering from asthma, emphysema and silicosis as a result of working many years in one of the steel mills in Hamilton. For the last two years he's been involved with the Asthma and Respiratory Centre in Hamilton, in the exercise program. This program is offered three times a week for three and a half hours a session. Each session is directed by a technician with a background in kinesiology and special skills in physiology and has to be supervised by a licensed physician.

According to the information I received, as of July the code G467, which covered funding for this program, was eliminated from the fees of OHIP. It was delisted, in other words.

Mr Hopkins has a wonderful support system, a wonderful family, and when he came to me he said, "You know, there are people a lot worse off than me, who have even worse asthma and respiratory conditions than me,

who really rely on this program. It's such a shame that it's cut. It's one more program that we really needed that was cut."

When we add up over \$2.5 million in golden handshakes in Hamilton in the last five years, when we add up the millions of dollars in golden handshakes, a small percentage of that could have gone for this program, could have gone for audiology, could have gone for special education, could have gone for so much more that was cut from our community.

What do other people say about this? The Hamilton Spectator, April 2001: "When the public pays, it has a right to know. This is accountability. Mohawk College is the latest example."

Again, the Spectator:

"The public's right to know about matters involving taxpayers' money is neither a privilege nor a favour. It's a right, one that needs to be enshrined in law.

"Elected officials have the privilege of spending public money and have the responsibility to do so wisely....

"Severance payments given to public sector managers are often so enormous as to be in the public interest....

"Severance packages that collectively add up to millions of dollars require scrutiny. The agreements to pay them require accountability.

"Once and for all, let's end secret severances. Queen's Park has the means.

"Severance payments to municipal employees have created a firestorm of protest from Ottawa residents." Ottawa Citizen, March 2001.

The Toronto Star, February 1992—this is not a new problem—"Cash-strapped St Michael's Hospital is dumping its highly paid and highly touted new president for a rumoured \$360,000 in severance pay."

There's more. All I want to say is that I congratulate my colleague Caroline Di Cocco for bringing in a bill that says public meetings should be public, not behind closed doors. If Mrs Di Cocco's bill, which is successfully going to go to committee next month, passes before Christmas, and if I have support in this House and this bill passes before Christmas, there's a hope that there will be more accountability in the public sector.

I understand that across the way there is a lot on people's minds, that there's a leadership race going on and that the Legislature may be prorogued again, so I'm really hoping you support this bill, that you support it in the committee I refer it to and that it's done before Christmas. This is an extension of your sunshine law. Anyone who makes \$100,000 or more, the public has a right to know.

1110

**Mr David Christopherson (Hamilton West):** I'm very pleased to rise and offer support and my compliments to my friend and colleague from Hamilton Mountain, Marie Bountrogianni. Given the recent history in Hamilton, and I certainly won't repeat it, this is something that's more than needed.

In fact I will go so far, since I'm in such a good mood, as to suggest that the government did a good thing too in

picking up on the announcement we had made as government, that such a disclosure law in terms of public salaries should be made, and they did continue that through. Unlike a whole lot of community investment programs we had announced, which they slashed and did immeasurable damage to communities like Hamilton, they did continue with this announcement and they brought to this Legislature and passed the Public Sector Salary Disclosure Act.

I think therein lies the best argument you could look for in terms of supporting this bill today. I don't know what the indications are from the government members, whether they intend to support this or not. Marie, have you had any communication from them?

**Mrs Bountrogianni:** I've had some positive feedback.

**Mr Christopherson:** Some positive, so hopefully they'll support it because it is very consistent. Once you've made the principle that there is a certain point at which the public right to know crosses into an individual's right of privacy—that's always been the argument: how much someone makes, unless you've got a collective agreement, is usually one of the biggest secrets one can possibly hold. I'm not sure that's the healthiest attitude, but there it is.

What we've said in this Legislature is that if you are past the \$100,000 mark in pay, and are receiving and deriving that pay from the taxes of Ontarians, then at the very least they have a right to know. Obviously over time that figure will grow and change to reflect inflation, but the principle that one's personal financial information, ie your wages, is superseded by the public right to know has already been established. That's done.

Now all we're saying is there are other circumstances where monies that are spent on behalf of the public, with the public's own money, make the \$100,000 mark look like chump change, and that in light of the previous law we've passed, when you apply that principle, there's really no argument not to be divulging this. I'd be interested to hear the arguments, if there are any, opposing this because I really can't imagine what they would be.

It also plays an important role in the dynamic of a democracy. Most of the agencies the member for Hamilton Mountain has mentioned are not elected bodies. There may be municipal elected representatives as members, but it's usually just one or two. The vast majority, the overwhelming majority of people who are on college boards, university boards, hospital boards are appointments and there isn't that same accountability. It's sort of once removed, as opposed to the accountability of any of us who go out and put our name and our reputation on the line and the people decide, very publicly, whether our contract is going to be renewed or whether it is time for us to go out to pasture.

I think this puts an important dynamic into play there because it forces those individuals to recognize that the accountability of the decisions around severance is something they'll have to answer for just as they do every other decision they make that affects the public service they're responsible for.

Having said all this, I do want to say one thing; that is, I don't have the same level of difficulty as my friend with the amounts. Let me put that in its context: \$700,000 is a staggering amount of money. No matter who you are, that's a lot of money. And \$250,000 is a lot of money. There are a number of people in Hamilton and other communities who make that amount or more for a lot of reasons. Number one, they're responsible for often hundreds of millions of dollars of public money. They're ultimately responsible for a workforce of thousands of people. They're accountable to a board of directors and to the users of the service they provide. They're also accountable to the general public.

When you're dealing with that level of responsibility—it is very much like a deputy minister here—if you're going to find people who can perform that task in the way the public has a right to have it performed, it is going to cost you. If you want to go cut-rate, then that's the kind of service you're going to get. That's unfortunate, particularly for the taxpayer, but that's the reality. I have yet to be in a position where I'm elected or appointed to be responsible for an organization where the top person who works with me, the top civil servant, doesn't make tons more than I do. That applies not only to when I was a municipal councillor and all the directors made at least twice what we did—that's the directors, not even talking about the CAO—but also, as a former minister, my deputy minister made a lot more. Even as the president of my local union back in the 1970s, the administrator in the office made more than I did.

That's a reflection of the requirements for those positions and the competition, because we are competing with the private sector for these individuals. People who can run \$100-million organizations are very much sought after privately, and we need them publicly. When you start looking at severance and you use the multipliers that the courts have established—this gets to the nub of where I have some difficulty with saying the dollar figure is a problem. The dollar figure is usually based on a formula in the contract. Those formulas are often reflective of what courts have said is fair.

Being a former labour leader, I've spent a lot of time, and the labour movement continues to spend a lot of time, fighting for decent severance. Those formulas are key and crucial to people who make a heck of a lot less. But again, extremes ought not to be used to establish law. I don't want to get into a situation where we start saying that somebody who receives two years or more, or 18 months, in severance is not entitled to that because of the dollar figure it ultimately reaches, because that could have an impact on an awful lot of working people who have fought for decades to have a decent severance payout.

I would also remind the House that often those severances are established as part of a contract of employment. They reflect what has already both been established by the courts and what is out there in the world of competition, in terms of competing to bring them out of the private sector where they can still usually make an awful



lot more and bring them into the public sector where, I would argue, we need them even more.

1120

With that one caveat—it has no reflection on this bill; that was really part of an earlier bill—my colleague feels somewhat differently about that, and that's cool. That's what this place is all about. But given that what we're talking about today in this bill is explicitly the issue of whether or not the public has a right to know, to me this ought to be motherhood. This should be a slam dunk here today that, yes, we support the earlier bill that says anybody receiving over \$100,000 a year will be known to the public, and that now will extend to include severances. If that causes some boards and commissions to put a little finer point to both the clauses they put in contracts and what they're considering about throwing into a deal to have someone move along that they feel is in the best interests of the organization, great. I think that's a dynamic that helps public service, helps the democratic process, particularly at the local level, because that's where we're seeing all of this.

But what it may do also is start to set the precedents that when you're dealing with that much money, at the end of the day there's no justification for keeping it secret. On a broader scale, I'm going beyond and saying this is a principle that may find itself applied elsewhere, and that's healthy, that's good. But for today, really, this is just common sense if ever there was, an extension of a principle we already have.

I would also say, on my last point, that it's actually of benefit to those representatives on the boards and commissions. More headlines were generated in Hamilton over the refusal to give out the dollar figure than probably ever would have happened if they'd just been given out in the first place. Yes, there still would have been a kerfuffle. You can't spend half a million dollars or more of taxpayers' money without ruffling some feathers. But I don't think there would have been near the firestorm we saw in Hamilton, and in other communities, obviously, if there hadn't been this first attempt to say, "No, we're going to keep it secret. You can't be told."

I think this is of benefit all around, and I would hope and expect that this would receive unanimous support here today.

I want to end by congratulating my colleague from Hamilton Mountain for having the perseverance to continue with this, even when it died on the government's order paper last time. She brought it back. This is an important contribution to public service. I commend her for the efforts and I intend to offer my support today, and our NDP caucus will be supporting it also.

**Mr Wayne Wetlaufer (Kitchener Centre):** It gives me a great deal of pleasure to rise today and speak to this bill. I'm going to support the bill in principle. But before I get into it, I want to congratulate the member from Hamilton West on his amazing transformation, or maybe I should say even reformation, on recognizing that people in business—I presume you meant not just organized labour but business people as well who have charge of

millions and hundreds of millions of dollars of budget—should be well paid. I do want to congratulate you. After what your government did to small business and the equity that small businessmen had in their businesses, I congratulate you.

This bill addresses greater openness and accountability, and that's something this government has supported since 1995, when we were elected. I congratulate the member from Hamilton Mountain, Dr Bountrogianni, on this bill.

We're not talking about dollars that are actually spent by government; we're talking about dollars that are spent by non-governmental agencies but, nevertheless, they are tax dollars. We have said many times that there's only one taxpayer in the province of Ontario. So I really congratulate you.

There is a belief, I believe by all members of this House, that there is a need for all transfer agencies to be more accountable for the money they spend.

The member did introduce a bill, Bill 104, in the previous session. I could not have supported that bill because I felt that it created a bloated bureaucracy. This one does not. This one does not have that extra layer of reporting involved, and I'm quite pleased about that.

Nevertheless, I have some concerns and I really urge the member from Hamilton Mountain to give these concerns some consideration. I feel that the execution of the bill is complicated—

*Interjection.*

**Mr Wetlaufer:** You know, it's bad enough to get heckled by the other side of the House. Now I'm getting heckled by my own members. That's because there aren't enough members in the House.

I believe that the execution of the bill should be a little more detailed. It should outline in mandatory terms of disclosure. Should it be published or should it be available for just anyone who wants to see it? Would there be a fee that could be levied, for instance? Would the report be disclosed annually, would it be disclosed semi-annually or would it be disclosed within a mandated time period after the severance takes place?

I believe also that there is no provision for regulation in the bill. That, I think, should be explicitly provided. Without that, the bill could not be amended other than by legislation. I would urge you to consider that amendment.

One thing I want to point out is that the bill also does not allow for the context to be given to any severance payment: ie, would the disclosure shed on whether or not it was reasonable? What were the terms of this severance, ie, the salary, the terms of the severance itself? Was there a contract involved? What were the duties of the employee or manager? These are things that I would like to see looked at.

There are some legal implications as well. For instance, disclosure of salary and benefits are often discussed in public as part of a public discourse on value for taxpayer dollars. The terms of severance, including confidentiality issues surrounding termination of employment and decisions of labour tribunals, could make it

very difficult for an employer to give context to the dollar values made public under the bill. Forced disclosure could prompt the affected employers to lowball severance packages. That could result in litigation.

We did a little research. We got the legislative library to look at something here. We looked at the law in British Columbia, Alberta, Quebec and Ontario. In British Columbia, for instance, there is no specific legislation, but BC's Freedom of Information and Protection of Privacy Act covers the issue. The Information and Privacy Commissioner has held that severance packages constitute remuneration or discretionary benefit of a financial nature under the act and, as such, disclosure of the amount is not an unreasonable invasion of personal privacy. Alberta also has no specific legislation, is also covered by the province's Freedom of Information and Protection of Privacy Act. The Information and Privacy Commissioner in Alberta held that it did not constitute an unreasonable invasion of the employee's personal privacy and that disclosure was therefore permitted.

Quebec also does not have a specific statute. The information—I'm talking about personal information now in all of these—including the amount of severance, is public information and can be disclosed.

Of course, Ontario is governed by the province's Municipal Freedom of Information and Protection of Privacy Act.

I was wondering if perhaps the member had sought out the advice of the province's Information and Privacy Commissioner. That would be helpful.

I don't have any real concerns in terms of whether or not this is privacy information. My only concern is the legal implications. I believe that if the House passes this bill and we can send it to committee, the committee could also do some work on this as well with the member and make any improvements necessary, if the member agrees, and I think she does because she's nodding her head. I would say that I could support this.

1130

**Ms Caroline Di Cocco (Sarnia-Lambton):** It is a real privilege to speak on Dr Bountrogianni's Bill 53, which in my view is about what good government is about: the good process, if you want, of disseminating public dollars. That's what this is about.

This bill has one objective: to bring accountability to public sector severance payments. It comes about not because the member for Hamilton Mountain thought, "I have to decide what a private member's bill is and therefore find an issue," but because it comes from real experiences in her own constituency that dealt with an abuse of providing severance pay—or, as she calls it, the golden handshake—to the tune of I believe \$1.8 million.

I understand that it isn't necessarily the dollars in and of themselves, but the public does have a right to know when public funds are expended in this manner. You have the sunshine bill. With any public sector employee who makes over \$100,000 a year, that is listed as tax dollars provided to pay their wages. The member for Hamilton Mountain is just saying there are too many

packages. I know, because we've certainly had incidences in my constituency. There are way too many incidences where directors of education, CEOs of municipalities, CEOs of hospitals, get huge amounts of money but the public never is told what that amount is. I believe that is just showing respect to the openness of government, if you want to call it that, for the public. It's about management of public dollars, their hard-earned tax dollars.

We had an incident in my area of Sarnia-Lambton even during the last municipal election. We had a CEO, the director of education. We had an inquiry that cost hundreds of thousands of dollars because of dollars that were misspent. Not only were they misspent, there were millions of dollars lost, that literally flew out the window, went into private developers' pockets and were removed from the auspices of education in the area. This director, it was seen through the inquiry, played a huge role in how these dollars were misspent. What did our board do? They did want to get rid of him, so they gave him a wonderful severance package of over \$600,000 for misspending \$3.5 million and eroding the credibility of a system. That, to me, is inappropriate.

It was interesting because in one of the public debates a trustee was asked, "How much money did you actually pay out for this director?" She said, "That's private. I can't say what it is." I think the public becomes incensed. Not only that, I think the public deserves better than that. I think that's what this bill is all about. As a matter of fact, I know that's what this bill is all about. It's simple.

I know the member for Kitchener Centre made some comments about some complexities which he saw in this bill, but my view, at least my understanding of it from the member for Hamilton Mountain, is that this is similar to your sunshine law. It simply requires public disclosure of severance pay of \$100,000 or more to public sector employees. So after the decision has been made, after of course they have been held to the contract and they've said, "You're going to go. We're going to give you so much money," the public is just notified so that they understand where their hard-earned tax dollars are going. I believe they do. It's about good government.

The member for Kitchener Centre mentioned non-governmental agencies. A hospital board may not be a legislative agency, but it certainly is a part of the governmental agencies at the provincial—you know, it's another jurisdiction. It's a finger of the same arm. Again, it's about better government. It's about better public service, in my view.

I really commend the member for Hamilton Mountain. I'm quite passionate about this type of transparency that I think the public deserves. As we move on in our journey as legislators, we have to try to make these areas that we have tremendous—I sat here and listened to the specific dollar figures and how this information came to be known in the public view, and I think it's nonsense.

**Mr Michael Gravelle (Thunder Bay-Superior North):** It's unbelievable.

**Ms Di Cocco:** It really is. I think we can change that. We can change it if we can pass this Bill 53 and we can



change it if we allow it to go to committee in this House and get good public hearings on it. Maybe we can restore some of that cynical environment that the public has. We can do it. I know if there is the political will in this House, we can pass this bill. I urge us as legislators to support this type of legislation that makes public bodies accountable for those decisions. It brings transparency to the expenditure of millions of taxpayers' dollars. They deserve that. The public wants to understand. "Where are our dollars being spent and why?" They deserve that. I believe this bill does that.

Again, I urge the members to support it. It's a valuable step toward what I believe in and what I believe I'm here for. I know the member for Hamilton Mountain is on exactly the same road, and that is ethical transparency and accountability, true accountability, not just in rhetoric but in action. That's what this bill is all about. Again, I urge all of us to support it.

**Mr Michael Prue (Beaches-East York):** In the three and a half minutes that I have available to me here, I would like to commend Dr Bountrogianni for bringing this forward. We will of course be supporting it. It's trite to say we live in a litigious society. People run off to lawyers every day. They run off to lawyers when they feel they've been wronged. They run off to lawyers for publicity. They run off to lawyers and go to the courts to try to get money if they see advantage in their case. It is the right of all individuals to seek redress and it is the right of individuals as well, though, on occasion to seek privacy. Much of what we have seen before in past years is individuals attempting to protect their privacy, corporations attempting to protect their privacy, and municipalities and governments attempting to protect their privacy. The courts have interpreted that and have had mixed messages on whether things can be released or not. I compliment this bill in making it clear and unequivocal that the Legislature expects that it will be released, so that the courts do not have to weigh privacy laws against the right of the public to know.

One has to remember, on the other hand, that many of the people who are dismissed are dismissed without cause. I heard the list of all the people. The one I am the most familiar with is the former CAO of Toronto, Mr Mike Garrett, who was dismissed without cause. The reason in part that his salary was, as she said, \$500,000 was because that had been negotiated at the time that the city gave him a renewal of his contract, said laudatory things about him, said what a great CAO he was, how marvellous he was to the city, awarded him this, and guaranteed that if he was ever dismissed without cause that would be his package.

1140

Part of the reason this is such an important bill is not because we are letting the public know how much money is being spent, but one of the side benefits, and I think a really good benefit, is that we are going to let the public know that \$500,000, in that particular case, was given for firing a person who just several months before that had been given a renewal of his contract and a lot of public

acclaim for the brilliant job he was doing in the city. In reality, what needed to happen and I don't think happened enough in the city of Toronto is that the people of that city had to ask why the council of the city of Toronto wanted to spend \$500,000 of taxpayers' money to do what they did when there was no cause whatsoever. It had to be reversed back, not to the person who had been released and not to the package they got, but why the council would do such a thing and why in fact they did do it. That was a very mixed council vote. I was one of those who voted not to do it, because I thought it was an abuse of public dollars.

This bill will make sure that happens, and I support doing exactly that. The true test, of course, will be—if this bill is passed into law, and I hope it will be—what the courts do with it concerning the privacy legislation where people attempt to negotiate or where corporations or civic bodies try to invoke the privacy clause. That will be the real test. I can only hope the courts will keep it public.

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to stand and speak this morning to Bill 53, the private member's bill introduced by the member for Hamilton Mountain.

I'd also like to welcome all the young people we have in the audience here today. It's great to see so many people out to see the workings of Parliament.

I support the general intent of this bill and take the member in good faith that it is designed to bring greater openness and accountability to the broader public sector. This openness and accountability for tax dollars is something this government has supported since its election. These are dollars not spent by the government, but which are paid for by tax dollars. There is a real need for transfer agencies to account for the money they spend, just as there is a need for government to account for it. This was the purpose of the sunshine bill passed just a few years ago by this House.

The bill the member has introduced today I believe is much better than the one introduced by the member in the previous session. Bill 104 would have been very difficult to support, as it would have created a bloated bureaucracy with another layer of reporting. However, I do have some concerns about the details of this bill and hope the member will listen to them and give them some consideration.

I am also concerned about the possible implications this bill could have on the settlement of severance packages. People are dismissed from positions for a number of reasons. I'm not going to get into the specifics of speculation, but there could be a number of cases where a severance package that seems large is actually quite reasonable. That's a little bit of a problem with the \$100,000 capping. I understand it's nice to have some kind of figure, but in some cases it may be inappropriate. Granted, these are people who are being paid by public sector employers and therefore tax dollars, but the people in question have the same right to expect they will be given appropriate notice or compensation.

I'm not sure about the cases that the member opposite raises, but I think there is likely much more information to that than we are aware of, information that may help explain why a payment is reasonable.

What also concerns me is that this could add a dynamic to the settlement of severance packages that are usually settled in private, often with the assistance of arbitrators or labour relations boards. Traditionally, these are settled in private and the proceedings are confidential. In the case of, say, an arbitrator, the findings are binding. In this case, the settlement is really not the employer's decision, and it would be unfair to the employer to then have to defend a decision that is not theirs but that they also cannot talk about to give any context to. This is the kind of very complicated labour law that I do not have expertise in, but I am not satisfied that this is entirely consistent with other long-standing legal traditions.

Still, I think the purpose of the legislation is valid, but I am very concerned that it is missing some detail about the secondary impacts such a bill might have with some specific cases.

Based on that, I will be supporting the bill and I compliment the member for bringing it forward today.

**Mr Dominic Agostino (Hamilton East):** I'm certainly pleased today to join the debate and to, first of all, congratulate my colleague and friend from Hamilton Mountain, Marie Bountrogianni, for a bill that is long overdue.

I really find it hard to understand why anybody would see this as being complicated or somehow different from what we're now doing under the public disclosure act. It's very simple. Now the law of Ontario says that for any public servant, anyone who basically relies on tax dollars for an income, who has a salary of over \$100,000, the corporation, the board, has to submit the name. It is published once a year under the sunshine law, the disclosure act passed, I believe, in 1995 or 1996 by this government.

This is a really commonsense extension of that. I congratulate my colleague for the work she has put into this, and I find it astonishing that we are sitting here in October 2001 and talking about an issue that we sat here and talked about in this Legislature in October 1996.

Let me read you something. Hamilton Spectator, October 17, 1996: "I don't care if it's a hospital board, a school board, or a local municipality, these people are representatives of their community,' ... 'They are responsible...to their constituents and I think it is incumbent upon them to come clean, if you will, to the public at large.'" That's Ernie Eves, Treasurer of Ontario at that time.

At that time, Mr Eves said he'd like to see changes but didn't know whether it was best to make an amendment to the act or to give the auditor more authority to look at financial records.

I remember dealing with this issue in 1996 regarding an \$850,000 severance package being given to the CEO of the Hamilton Health Sciences Corp after the individual had been on the job for one year. There was absolute

outrage in the community. What has changed six years later? Absolutely nothing. We continue to have outrageous settlements; we continue to have backroom deals; we continue to have a lack of accountability for taxpayers' dollars. I don't know who this government is trying to protect, or why. I don't know why they haven't moved in six years. I don't know why they are somehow getting caught up in the details of this bill. It isn't that complicated, folks. If you believe in public, open accountability, then you simply say that what applies under the sunshine law applies under this legislation.

Most of these deals are negotiated between the board, if it's a hospital board, and its hospital CEO, or between the city council and its CEO. First of all, I think someone had an issue with the amount of the severance. That's an issue aside from this that has to be dealt with: should there be a cap? Is it acceptable for someone who has been on the job a year or two years to walk away with a severance package that may be twice the size of their salary during that period? That being said, the majority of those deals today are negotiated ahead of time. They should be disclosed as part of the package that's negotiated, and they should be disclosed when it comes to the individual and their severance package kicking in.

So I'm sitting here, and I remember at that time that Jim Wilson, the Minister of Health, wrote to the chair saying, "[A]s a taxpayer-funded organization, they should use common sense and allocate dollars wisely.... This is ... important since their decisions involve public funds, money paid by the taxpayers of the province." Hospitals, he said, must be fair, but also must remember that "the public interest is paramount in any decision."

Again, the former Minister of Health and the former Minister of Finance seemed to be on board. I think it's unfortunate that we're still sitting here six years later arguing over this.

The list provided by my colleague from Hamilton Mountain outlines some of the obscene packages, but what makes it even more obscene is that these packages often do not see the light of day. It is unacceptable; it is wrong; it is not accountability to the taxpayers of Ontario. The government should not be running, as much as they want to, hospital boards or school boards or city councils, but they should require accountability from the people who make those decisions. This government is big on accountability. We talk about accountability for hospitals. We talk about how, if you don't have balanced budgets, we're going to fine the CEO or we're going to fine the chair of the board. They talk about accountability in every aspect. This is nothing more than a question of public accountability.

1150

Someone on that side of the House should explain to me why the public interest would not be served by passing the bill from my colleague today, bringing it to committee and getting it through the Legislature very quickly. It's a farce. I cannot understand it. I wish someone would explain to me why there would be an objection to this. Can someone here explain to me why you haven't moved in the last six years?



I hope today—and we're getting an indication by some government members that they may support this—that you don't get cute with this bill, that you don't pull off the usual stunt of supporting a bill to make it look like you do and then, when it has to go off to committee and we can really do something about it, you bury it. We're making it clear that we're going to hold you accountable for that. It's not going to be good enough to simply stand up today and give token support to this bill and then not take it to the next step, not take it to the right committee.

It doesn't need a lot of change. It's a couple of minor changes, if those are necessary. If you want to take credit for the bill, go for it; I'm sure my colleague won't mind, because, frankly, it gets what we want done. If you want to simply amend the sunshine law and you don't want to give the opposition the pleasure of passing a bill, as you tend not to, then take it and run with it, but fix it. It's that simple. Just fix it.

My colleague has done the work here. I believe she'll be given the credit, if not by you then by the public. Please do the right thing today: support this bill, send it to committee and change it.

**Mr Wettlaufer:** Where were you when I said I would?

**Mr Agostino:** I appreciate the member from Kitchener supporting this. I hope he supports its going to committee to get it changed and brought back before Christmas. I know he supported this in the past, and I think it's important. But again I'm urging the leadership on the government side of the House to ensure that this bill gets quick passage to committee and gets back into the Legislature. Let's do the right thing. Let's finally shine light on some of these obscene severance packages so that boards, councils and commissions that make the decisions are held accountable. It is taxpayers' dollars. The taxpayers are owed nothing but openness and accountability, and this bill does that.

**Mr Doug Galt (Northumberland):** I appreciate the opportunity to say a few words on Bill 53 and to compliment the member for bringing this forward.

It's unfortunate. Some of these private members' bills are ideal. They arise from a problem in the individual's riding or in Ontario in general, and to get them all the way through—they can be stopped by an individual, because of course we need unanimous consent to get them through. I really think we need a new way of getting third reading through, because here's a bill that should go all the way.

I think back to the bill I had on people riding in the backs of trucks and getting thrown out and being killed. It went through second reading, we went to committee, the committee agreed with it and came up with some really good ideas and some ideas from the ministry. We adjusted it accordingly. The Minister of Transportation enthusiastically supports it, but it can be stopped by one individual. In a democratic society—the operation of this Legislature being democratic—we need another way of recognizing third readings. I empathize with the member,

because I expect this one will end up getting to third reading and not getting any further. I think that's very unfortunate.

This particular legislation is consistent with what the government has been bringing forward. One we brought forward was on public salaries when they exceed \$100,000—salaries paid from the public purse, whether direct or indirect. The second one was on union salaries. The member from Scarborough East first brought it forward, and I remember it was completed as a government bill—again, union leaders making \$100,000 or more per year.

I'm not questioning whether people deserve this salary level or severance level. It's certainly something the public has great concern about, and I think its being brought forward by the member is excellent. If we can get this through, it's going to provide the opportunity for the employee—whether it's a CEO for a hospital, a municipality or whatever—to establish at the time they're hired what the severance package is going to be, depending on what the contract is and when the severance occurs as it relates to the end of the contract. At the same time, the employer is going to be prepared to put out documentation to explain why this particular severance amount was agreed to. Whether it's \$500,000 or \$120,000, at least they'll be putting it out and it won't be rumoured on the street, or it won't be put out because of obtaining it through freedom of information.

We had a situation of a CEO severance package for a hospital in my riding I believe in the winter-spring of 1998. The rumour was that he got a half-million dollars. As soon as that appeared in the press, the phones in my office lit up like a Christmas tree. People were phoning, and they were angry. Like the member suggested, people had donated to this hospital, and they were seeing a half-million dollars going out in a severance package.

Was it fair or not? You'd have to go back to the contract and examine it and see what this individual was losing. But it was also rumoured that this individual left on a Friday night and on Monday morning was working in another hospital. At a different hospital in my riding, the CEO left and the amount never did surface, but it was certainly discussed on the street. I think that's wrong. What's right is to release that information, and at the same time the employer can explain why that level is there.

I enthusiastically support the member's legislation, Bill 53, that's being put forward this morning.

**The Acting Speaker:** Response?

**Mrs Bountrogianni:** I'd like to thank all the members on all sides of the House—Hamilton West, Sarnia-Lambton, Hamilton East, Kitchener Centre, Beaches-East York, Simcoe North and Northumberland—for their feedback, their support and their constructive criticism. I will take head of their advice. Hopefully it'll get to the committee before Christmas and we can actually do that.

I would agree with my colleague from Hamilton East, and I said this publicly to the media last year, that if the

government wants to take this idea and just extend their sunshine law—it was basically an extension of their idea—I would be quite happy with that. This isn't about me bringing in a bill; this is about bringing accountability to communities across Ontario.

With respect to the amounts of severance packages, I have a slight disagreement with my friend from Hamilton West. I see your point, and I think people do deserve good salaries and good severance packages. But there were times when people got severances they didn't deserve in their wildest dreams because it was just easier to give them that much money. It was easier for them to get out the door because no one would know. All I'm saying in here is, let's keep it open. Once it's open, we will be a little more careful about what we pay out. That's all.

I agree that my original bill was too technical, too bureaucratic. I agree with you. I modelled it after a bill in British Columbia, and that did set limits. This one doesn't. I think this bill does sort of address the concerns I heard in the last attempt at this.

I look forward to the committee. I will, in a few minutes, refer it to the standing committee on public accounts for more feedback.

Another issue is fundraising. When we did have one obscene severance package in Hamilton a few years ago, people were actually calling and asking for their cheques back. This does affect the trust communities have in us.

Thank you for your support. All I'm asking for is that for anyone who makes \$100,000 or more in severance, let the public know.

**Mr Murdoch:** On a point of order, Mr Speaker: I notice that in private members' public business there are generally not a lot of people here. But I'd like to point out that a class from Sacred Heart school is here today.

**The Acting Speaker:** Thank you. As you know, that is not a point of order.

We welcome you.

That completes the time allocated for debate on ballot item number 30.

#### MARRIAGE AMENDMENT ACT, 2001

##### LOI DE 2001 MODIFIANT LA LOI SUR LE MARIAGE

**The Acting Speaker (Mr Michael A. Brown):** We'll now deal with ballot item number 29. Mr Murdoch has moved second reading of Bill 74. Is it the pleasure of the House that the motion carry? Carried.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I would like to see this bill sent to the standing committee on justice and social policy.

**The Acting Speaker:** Agreed?

All in favour, please stand. You may be seated.

All opposed, please stand.

A majority is in favour.

This bill will be referred to the justice committee.

#### PUBLIC SECTOR EMPLOYEES' SEVERANCE PAY DISCLOSURE ACT, 2001

##### LOI DE 2001

#### SUR LA DIVULGATION DES INDEMNITÉS DE CESSATION D'EMPLOI DES EMPLOYÉS DU SECTEUR PUBLIC

**The Acting Speaker (Mr Michael A. Brown):** I'll now deal with ballot item number 30. Mrs Bountrogianni has moved second reading of Bill 53. Is it the pleasure of the House that the motion carry? Carried.

**Mrs Marie Bountrogianni (Hamilton Mountain):** I'd like to refer this bill to the public accounts committee, Mr Speaker.

**The Acting Speaker:** Agreed? Agreed.

All matters before us this morning in private members' public business now being complete, this House stands adjourned until 1:30 of the clock.

*The House recessed from 1201 to 1330.*

#### MEMBERS' STATEMENTS

##### ONTARIO ECONOMY

**Mr Gerry Phillips (Scarborough-Agincourt):** I was interested to see yesterday the government essentially saying that things are just fine, that there isn't any significant problem in Ontario and it's just sort of steady as she goes. I hope they're right, but I suggest there is considerable evidence that that's not the case. I'm afraid the government may be, for whatever reason, understating the challenge.

Ontario in the last four months has lost 26,000 jobs. The rest of Canada, by the way, has gained 9,000 jobs. It was just a few months ago that the budget was presented saying Ontario would add 150,000 jobs, and it looks like actually by the end of the year we'll be down some jobs.

When Premier Harris became the Premier, the debt was roughly \$90 billion. It's over \$110 billion now. The government has said, "Listen, we're going to cut corporate taxes to 25% below the US, but we're going to have a better health care system than the US." In my opinion, there's only one taxpayer; there's only one way that we will be able to adequately fund our health care system.

It's increasingly clear that Premier Harris saw these numbers, made his decision and now has left the challenge to the rest of us to solve.

##### NEWMARKET CELEBRATIONS

**Mrs Julia Munro (York North):** This year, the town of Newmarket in my riding of York North is celebrating its 200th birthday.

The last weekend in September this year, Main Street was crowded with partygoers who all tried to cast their minds back to imagine what the town must have looked



like 200 years ago. Most of the land within the present-day boundaries of Newmarket was nothing but bush, trees and rock. There were some old Indian trails and a wilderness road called Yonge Street.

It was along this road that a Vermont Quaker named Timothy Rogers, ancestor of Ted Rogers, came. He was looking for arable land to settle a number of families of the Society of Friends who had become troubled by life in the newly independent United States. In May 1801, he brought 40 Quaker families. They settled on Yonge Street near the Rouge Trail in the village of Armitage. The area eventually became known as the town of Newmarket. The spirit of this town was well established by its Quaker founders.

Among the many activities of this year-long celebration have been two important visits. In the spring, the Lieutenant Governor visited Newmarket, and in October it was my pleasure to welcome our Premier, Mike Harris, to Newmarket, where among other activities he planted a tree from the province to commemorate the 200th anniversary.

My congratulations to the many community volunteers who worked so hard to ensure the success of the 200th-anniversary celebrations.

#### OAK RIDGES MORaine

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** This morning, I was at a press conference for an announcement by the Minister of Municipal Affairs announcing a comprehensive plan for the preservation of the Oak Ridges Moraine. This announcement is welcome news not only in the area of York region but right around the province of Ontario. Although we will not see the details until later on this afternoon, we welcome consideration of this bill.

This announcement represents the culmination of 20 years and more of work by environmental groups and individuals who have told us in this place for years that we must preserve and protect this critical piece of geography in southern Ontario. I want to pay special tribute to people like Charles Sauriol, Dorothy Izzard, Debbe Crandall, who I see is in the members' gallery, STORM, and particularly Mike Colle, our member, who has fought this battle so hard very recently.

I want to say in this House that there is yet another environmental issue to address urgently in my riding, and that is the closure of the Keele Valley landfill site. Now, the Minister of the Environment wants one day to be Premier. If she is actually serious about leadership, she will urgently create a task force to determine what we in this province are going to do about landfill sites and waste management for the greater Toronto area. I invite her to that task today.

#### COUNTERTERRORISM MEASURES

**Mr Garfield Dunlop (Simcoe North):** The events of September 11 were devastating tragedies, and the people of Simcoe North have responded generously, lending

heartfelt support to those suffering sorrow and pain. To everyone who reached out with condolences, who donated blood, who gave money or food or who found other ways to help victims and families of these terrorist activities, a special thank you.

These events served as a wakeup call to levels of government throughout our nation. It was a reminder that we cannot take cherished freedoms and security for granted; that we must keep working to protect the peaceful and tolerant society we have created.

To this end, the provincial government has taken measures to help combat terrorism in our province. Some of these measures include:

The establishment of a special police unit to assist federal officers in tracking down people in Ontario illegally, and aggressively seeking deportation of criminal offenders;

The appointment of former RCMP Commissioner Norman Inkster and Major General Lewis MacKenzie as new provincial security advisers reviewing emergency response plans;

Improved security for obtaining vital statistics documents to protect Ontario citizens' birth certificates and other important documents;

Calling for establishing a North America-wide security perimeter which will protect our access to the United States' market and protect our nation from the threat of terrorists;

The expansion of the hate crimes and extremism unit to respond to an expected increase of hate crime incidents;

Ensuring that first responders are properly equipped to respond to chemical, biological, radiological and nuclear attacks;

Establishing a provincial emergency response team that will be specially trained and equipped to combat terrorist threats. Their mandate is to provide protection and specialized response to critical infrastructure.

As well, I would like to thank our Premier for his leadership throughout this very difficult time in the history of our province.

#### BLUEPRINT

**Mr Ernie Parsons (Prince Edward-Hastings):** This is a public service for the 50 or so leadership candidates across the aisle: it is not nice to fool the citizens in Ontario. You put out a Blueprint on what you were going to do this term. Evidently, there is an ulterior-motive, hidden-agenda proposal that is not given to the public.

You took and privatized school funding; it's not in the book. You introduced private cancer care; it's not in the book. You cut home care services; you didn't put that in this book. You amalgamated municipalities against their wishes; it's not in the book. You have put our water supply at risk; you didn't mention that in the book. You privatized our universities; not in the book. We need the other version, the real one that you're following.

You cut textbook funding in half this year; you didn't mention it in the book. You reduced public access to

physiotherapists, audiologists; you didn't mention that in 1999. You increased the cost of the cabinet support offices by 116%; I didn't find that as one of your promises in 1999. You are consistently blocking freedom-of-information requests; you didn't mention that in the book.

Privatizing water systems, increasing the Premier's office staff salaries by 40%: list that next time so the citizens of Ontario know what you really want to do.

It is a disgrace. Please give the other version to the public.

### ADDICTION SERVICES

**Ms Shelley Martel (Nickel Belt):** The Minister of Health must deal with the serious funding issues facing the Northern Regional Recovery Continuum in Sudbury. This agency helps women 16 and over who want to overcome a drug or alcohol addiction.

A 21-day structured residential or day treatment program provides individual and group therapy, life skills training, relapse prevention, native traditional teachings, and Alcoholics and Narcotics Anonymous meetings. After-care programs help women after treatment is ended.

Last fiscal year, 187 women were admitted for treatment, and at present there is a six- to eight-month waiting list for counselling and after care because the agency can only afford to pay two staff to respond to these needs.

This agency hasn't had a base funding increase in 10 years. They've just been told that the 2% increase received last year by all agencies dealing with addictions was one-time money only. This was news, since the former Minister of Health, who had made the announcement at the Addictions 2000 conference last November, led people to believe this money would be added to base budgets. At the same time, she also announced \$5 million in new money for addictions. It has been revealed that this is one-time money too, so it can't be used to support existing addiction programs which desperately need funds.

The Northern Regional Recovery Continuum is dealing with proxy pay equity payments, increased ministry requirements, a problem to recruit and retain qualified staff, and a waiting list for needed services. This government brags about wanting to help people with addictions, but there has been no increase in base budgets for addiction services. This government had over \$2 billion for corporate tax cuts. Where's the money to help women with addictions in Sudbury?

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### BICYCLE EXHIBIT

**Mr John O'Toole (Durham):** I rise in the House to recognize the opening of a unique exhibit of historic bicycles at the Bowmanville Museum. This is an account of Bowmanville's history on two wheels.

The display includes a large-wheeled, penny farthing bicycle that was originally ridden from Bowmanville to

Rochester, New York, in 1880. Another famous bicycle is an unusual chainless model that belonged to former postmaster Carl Kent. But the star of the show is a rare Massey-Harris bike with wooden rims and fenders made at the Dominion Organ and Piano Co in Bowmanville.

The text for the display is by the famous local historian from Bowmanville, Bill Humber, who is the author of a new book, *Freewheeling, the Story of Bicycling in Canada*.

I'm proud to represent a riding that takes such an interest in its history, through its museums in Bowmanville, Kirby, Scugog and Oshawa. A bicycle exhibit offers a fascinating window into the people, places and industries from Bowmanville's past.

I'd like at this time also to pay tribute to the Bowmanville Museum board and to curator Charles Taws, who by the way is leaving his post for a new opportunity. I'm sure the community would like to thank him for his hard work and dedication in preserving, promoting and interpreting our local history. We all wish him well.

I would also like to encourage members to look to their history by visiting their local museum frequently.

### MINISTER'S REMARKS

**Mr Dwight Duncan (Windsor-St Clair):** The events of September 11 have affected all of us to a great degree. They have forced us to look not only at the very elements of our security within our borders but our relationship with our great neighbour to the south, the United States of America.

There have been deep, tough issues that governments at all levels have to face in order to respond to the new reality, the reality of our desire to increase security but at the same time maintain that important flow of goods and services across our borders. No community has felt that more than our community.

The Ontario Liberal Party, Liberal leader Dalton McGuinty and all of us on this side of the House were astounded at the Minister of Economic Development and Trade's tirade against the federal government yesterday in this House. At the very time when governments at all levels—municipal, provincial, federal—should be working together, this minister chose to use this House for what essentially was a cockeyed political statement that paid no heed to the fact that we in this chamber are all Canadians.

Tomorrow, the Canadian Minister of Foreign Affairs will be in Windsor to meet with border officials. I invite the minister to do that and start working together as Canadians to ensure that our economy doesn't continue to pay a high price.

### CANADIAN DOLLAR

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Our dollar has fallen to 62.88 cents US—an all-time low and a great concern for Canadians. The dollar has fallen in good times and in bad times, but only under the Chrétien Liberals has it hit the 62-cent mark.



The Liberals embarrass our entire country when they pretend that a low dollar is part of a scheme to boost exports. They are wrong, wrong and wrong. Every time our dollar drops to a new low, the Liberals are weakening our standard of living. They are forcing more Canadian professors and doctors to move south to seek a stable standard of living.

The dropping dollar is a vote of non-confidence by the global market in Mr Chrétien. When the dollar drops to zero, how will he boost exports?

Immediately before Y2K, Time Magazine Canada stated that Canadians should make this New Year's resolution to stop asking whether prices are referred to in US dollars or Canadian dollars.

On behalf of Ontarians, I call on Mr Chrétien to defend our retirement savings, our children's education funds and our standard of living. Until the Liberals change their disastrous policies or are routed from office in Ottawa, every Canadian parent should call their MP and show their discontent.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

**Mrs Margaret Marland (Mississauga South):** I beg leave to present the first report of the standing committee on the Legislative Assembly.

**The Speaker (Hon Gary Carr):** Does the member wish to make a brief statement?

**Mrs Marland:** No, thank you. I will not take the temptation or the invitation.

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr John Gerretsen (Kingston and the Islands):** I beg leave to present the report on the forest management program from the standing committee on public accounts and move the adoption of its recommendations.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion Carry? Carried.

## INTRODUCTION OF BILLS

### EDUCATION AMENDMENT ACT (APPROPRIATE USE OF TECHNOLOGY IN SCHOOLS), 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR L'ÉDUCATION (UTILISATION APPROPRIÉE DE LA TECHNOLOGIE DANS LES ÉCOLES)

Mr Caplan moved first reading of the following bill:

Bill 121, An Act to amend the Education Act to provide for the appropriate use of communications technology in schools by requiring boards to establish policies and guidelines governing the use of wireless communications devices by pupils on school premises / *Projet de loi 121, Loi modifiant la Loi sur l'éducation afin de prévoir l'utilisation appropriée de la technologie de communication dans les écoles en exigeant que les conseils établissent des politiques et des lignes directrices régissant l'utilisation par les élèves de dispositifs de communication sans fil dans les lieux scolaires.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr David Caplan (Don Valley East):** My bill was created in response to the many parents and educators who have real concerns about the use of wireless technology in our schools. Whether it's ringing cellphones, beeping pagers or instant messaging between students, I believe we need to ensure that all boards have rules governing their use. This bill, if passed, amends the Education Act to require boards of education to establish policies and guidelines governing the use of cellphones, pagers and similar devices by pupils on school premises and will ensure that these policies and guidelines provide for disciplinary consequences for non-compliance.

### OAK RIDGES MORAINÉ CONSERVATION ACT, 2001

#### LOI DE 2001 SUR LA CONSERVATION DE LA MORAINÉ D'OAK RIDGES

Mr Hodgson moved first reading of the following bill:

Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan / *Projet de loi 122, Loi visant à conserver la moraine d'Oak Ridges en prévoyant l'établissement du Plan de conservation de la moraine d'Oak Ridges.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** Later.

### EPIDERMOLYSIS BULLOSA AWARENESS WEEK ACT, 2001

#### LOI DE 2001 SUR LA SEMAINE DE SENSIBILISATION À L'ÉPIDERMOLYSE BULLEUSE

Mr Kennedy moved first reading of the following bill:

Bill 123, An Act proclaiming Epidermolysis Bullosa Awareness Week / *Projet de loi 123, Loi proclamant la Semaine de sensibilisation à l'épidermolyse bulleuse.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Gerard Kennedy (Parkdale-High Park):** I'd like to take the opportunity to promote the object of this bill, which is for people in this House and in this province to recognize EB, a disease that most people, because of the small numbers of people currently recognized with it, don't necessarily have knowledge of.

I will be sending to each member of this House a brochure produced by EB UK which shows in it the skin conditions, the fused hands, the debilitating life that children with EB have to live through. I want to introduce to you someone who was here for a statement I made last week on this particular condition, Kevin Campbell, who is the president of EB Canada, who hopes to further some of the progress done in recognizing this disease.

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I want to say just very briefly that this recognition is not just for a terrible disease that disfigures young children, that configures their lives in ways that most of us can only feel a great deal of empathy for, but also to recognize the courage of these children, of their families, of the adults with this disease in persevering without any of the recognition, any of the acknowledgement and without any of the services they need to ameliorate their lives. I hope we can change that and I hope this bill will make a contribution.

#### BUILDING CODE STATUTE LAW AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT DES LOIS EN CE QUI CONCERNE LE CODE DU BÂTIMENT

Mr Hodgson moved first reading of the following bill:

Bill 124, An Act to improve public safety and to increase efficiency in building code enforcement / Projet de loi 124, Loi de 2001 modifiant des lois en ce qui concerne le code du bâtiment.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I'm very pleased to tell the members of the House today about the government's plans to protect the water resources and the natural features on the Oak Ridges moraine. I would like to thank my caucus and colleagues—

**The Speaker:** I'm sorry, that was a short statement about the other bill. It's not ministers' statements.

**Hon Mr Hodgson:** I'll do the statement later, then, if you want to do them all at once.

**The Speaker:** Thank you. Sorry about that.

#### ORDER OF BUSINESS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I seek unanimous consent to have the orders for second and third readings of Bill Pr23

immediately called and decided without further debate and for a motion to authorize the standing committee on regulations and private bills relating to Bill Pr15.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

#### AN ACT TO REVIVE 1205458 ONTARIO LTD

Mr Levac moved second reading of the following bill:  
Bill Pr23, An Act to revive 1205458 Ontario Ltd.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mr Levac moved third reading of the following bill:

Bill Pr23, An Act to revive 1205458 Ontario Ltd.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### MOTIONS

#### COMMITTEE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that the standing committee on regulations and private bills be authorized to hold public hearings on Bill Pr15 in Sioux Lookout on November 23, 2001.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

#### OAK RIDGES MORaine

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I'm very pleased to tell the members of the House today about the government's plans to protect the water resources and natural features on the Oak Ridges moraine. I would like to thank my caucus colleagues for their hard work, particularly Steve Gilchrist, Frank Klees and other members who have a personal interest and a riding interest in the moraine, and I'd like to thank the Premier for the leadership and commitment he has made for the Oak Ridges Moraine Conservation Act to come forward.

For more than a decade, people have argued about exactly how much protection was needed and how it should be done. Much of that arguing has taken place at the Ontario Municipal Board, at tremendous cost in money and time to municipalities, the province, environmental groups and developers.



Last May, this Legislature broke all speed records when it passed the Oak Ridges Moraine Protection Act in a matter of minutes. The act created a six-month moratorium on planning applications on the Oak Ridges moraine. The idea was to provide an opportunity for the competing interests to reach a consensus on what parts of the moraine needed protection, how that protection should be accomplished and what areas could be developed with certainty. I appointed an advisory panel including representatives of all competing interests on the moraine.

I'm pleased to say that we're joined today for this important announcement by a number of the advisory members: John Riley, Rick Symmes, James McKellar, Ron Vrancart and Deb Crandall.

The panel considered the public input received by the three regions at their public meetings in June and submissions made to the Ontario Municipal Board. They reached a general consensus on almost every issue I asked them to review, and that consensus formed the basis of the Share Your Vision document that I released for public comment in August. We then held public meetings on the advisory panel's recommendations and focused meetings with stakeholders.

Earlier, I introduced legislation to protect the moraine for future generations. The Oak Ridges Moraine Conservation Act would permit the government to establish an ecologically based land use plan which would protect 100% of the natural features and water resources on the moraine.

The proposed plan reflects the consensus reached by the advisory panel and the comments we heard during the consultation. The plan protects 100% of the natural features and water resources on the moraine in perpetuity.

We have included in the legislation a clause that says a 10-year review of the plan cannot consider reducing core or linkage areas.

The plan preserves agricultural land and it limits almost all development to approved settlement areas. It includes strong policies to protect water quality and quantity on the moraine. It protects wellheads and cold water streams such as those running into Lake Simcoe, which I know is a huge concern of my colleague Julia Munro. In all the kettle lakes on the moraine, it requires innovative storm water management practices to protect sensitive recharge areas and prohibits technologies that cause rapid infiltration of storm water into our groundwater.

As the advisory panel recommended, the plan creates four land use designations on the moraine: natural core areas, natural linkage areas, countryside areas and settlement areas. Almost all new development would be limited to settlement areas, which constitute just 8% of the land area of the moraine. Even there, any new development would be subject to very strict policies to protect the natural features and the water resources.

The government also plans to establish a continuous east-west trail along the moraine so that everyone, including seniors and people with disabilities, can enjoy the

moraine and its unique features. This trail will take a while to come to its full potential, and I would like to thank the existing Oak Ridges Trail Association which has put lots of time into establishing the existing trail.

The government will be proceeding with the establishment of a private foundation based on the example of the Living Legacy trust, as recommended by the advisory panel. The foundation would be involved in funding land securement and conservation easements to protect high-priority sites; it would fund public education programs and stewardship programs to encourage landowners to protect water resources and natural features on their own land; and it would support the trail by funding the purchase of access points and construction of facilities, bridges and interpretive centres, and in critical locations will acquire the corridor for the trail.

Funding for the foundation would come from a variety of public and private sources. The government has committed \$15 million in cash plus a substantial donation of land to be valued through a fair and transparent process that will be determined by the parties involved toward a partnership fund. We are challenging the federal government and the private sector to participate.

If this legislation is approved by the Legislature, I propose to appoint an interim board for the first year for this trust. The interim board's job would be to develop the foundation programs, determine actual funding needs and seek partnership funding. The interim board would include John Riley, science director of the Nature Conservancy of Canada; John Burke, Deputy Minister of Natural Resources; Rick Symmes, a board member of Ontario's Living Legacy trust; Russ Powell, chief administrative officer of the Central Lake Ontario Conservation Authority; and James McKellar, associate dean, professor and director of the Schulich School of Business at York University.

1400

The members will be aware that there are a number of development applications currently being considered by the Ontario Municipal Board. Some are in Richmond Hill. They're quite far along in the process and they affect some critical pieces of land and a part of the moraine that has been under intense public scrutiny. If these applications were to proceed, some important linkages would be lost and an opportunity for a continuous corridor along the moraine would disappear forever.

The advisory panel recommended mediation. I reacted immediately, asking David Crombie to bring together the parties with an interest in those applications and to try to seek an agreement. I am very pleased to tell the members that such an agreement has been reached. As a result, some 1,000 acres of land have been secured so that sensitive natural areas can be protected. This is being accomplished through a combination of land donations and exchanges for provincially owned developable lands off the moraine. The lands being protected by the province are intended to be used to create a spectacular, showcase urban conservation area.

The Oak Ridges Moraine Conservation Act, 2001, if passed by the Legislature, would provide certainty and clarity for developers about where development can occur on the moraine. This afternoon, I introduced legislation to clarify how development should occur in Ontario.

### BUILDING REGULATORY REFORM

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** An Act to improve public safety and to increase efficiency in building code enforcement, if passed by this House, would represent the most encompassing building regulatory reform in the past 25 years, reforms that would clear the path for a new, more efficient and cost-effective way of doing business.

The proposed legislation is based on the recommendations of the Building Regulatory Reform Advisory Group. At the core of this legislation are three basic principles: public safety, streamlining and accountability. This proposed legislation would allow building officials to make better decisions faster. Time frames for a municipality to determine whether a building permit should be issued would be set out in the building code. In the case of a house, for example, that time frame would be 10 days. Decisions on larger buildings would need to be made within 20 or 30 days.

Our proposed building regulatory reform would strengthen the government's Smart Growth agenda to help ensure that growth could occur quickly and cost-effectively in appropriate areas.

I'd like to assure the honourable members that the new code enforcement procedures and practices would place an emphasis on requiring that all parts of the building code, including fire safety, structural sufficiency and barrier-free design, are accounted for during plan reviews and inspections. The qualifications of the people who design buildings and enforce the building code would require that they be knowledgeable in all these areas as well.

In addition to today's proposed legislation, my ministry will soon undertake a consultation that will focus on priorities for improving barrier-free design requirements in buildings in Ontario. Details of that consultation will be announced shortly.

I believe it is important that we work with our partners in the building industry in consultations like this to ensure that we continue to improve accessibility throughout Ontario in new buildings. It is vital that we remove as many of the existing barriers to accessibility as possible and ensure that no new barriers are raised.

The Oak Ridges Moraine Conservation Act and the accompanying plan represent an historic achievement. Together they will safeguard the moraine now and in the future. They will create a system of parks and conservation areas and a continuous trail that will be a lasting legacy for all the people of Ontario. I know that three successive governments have grappled with this issue, and I'm very pleased to announce that we've found a

consensus. I urge my colleagues to support this piece of legislation for the future of the province of Ontario.

### DOMESTIC VIOLENCE

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** This government has zero tolerance for violence against women and we continue to demonstrate our commitment to ending this crime.

November is Wife Assault Prevention Month. I believe it is very important that we take this opportunity to stress the gravity of domestic violence and the strong leadership our government is showing to combating it.

Today in Ontario no woman or child should have to tolerate domestic violence or live in fear of an abusive member of the family. Yet, nevertheless, too many do. Too many women live in the shadow of that very real threat and, tragically, too many have died at the hands of a partner or ex-partner. This is a sobering reality and it's a terrible crime.

We have been working very hard to stop violence against women. Since 1995 we have increased our investment in anti-violence initiatives and programs that help women by 40%. This year we're spending over \$145 million on programs and services dedicated to support our efforts. This is, of course, more than any previous government.

In August we announced that emergency shelters will be receiving \$26 million over the next four years to help them ensure the safety of abused women and their children. At that time we also announced new funding of \$3 million this year, growing to \$9 million annually, for counselling, for telephone crisis service and for other shelter supports. This is building and growing on what we already have in place.

In September we announced that 31 more domestic violence court programs will be opening, bringing the total number of these specialized courts to 55. When I first became the minister, only one of these courts existed and none of these programs. That was in 1995.

Last month we announced \$4.5 million in funding over the next five years to enable Toronto-based Assaulted Women's Helpline to expand province-wide so that abused women across the province will have access to a 24-hour, seven-day-a-week crisis phone line. Again, this did not exist a mere six years ago. As technology becomes available, we will move forward into parts of Ontario where women still need this emergency service.

We've also made progress in building a justice system of which we're very proud in Ontario that is responsive to the needs of women and their children. Last year we passed the Domestic Violence Protection Act which, once proclaimed, will mean that abused women can get emergency intervention orders at any time of the day or night.

In 1996 we introduced the domestic violence court program and we have gone on to create the largest, most comprehensive domestic violence court system in the



entire country. Other provinces are building on this model, as we are building on best practice models in other provinces across this great country.

This program put in place a network of professionals. It includes police, crown attorneys, cultural interpreters and a variety of counsellors and support workers. This network is providing assaulted women with services that are sensitive to their own personal situations and that address those situations effectively and with results; as well, over 100 community-based agencies which we rely on because they relate best to the needs of the women in their own communities. They are helping women as best they can to break away from the cycle of violence and, as best they can, to rebuild their lives.

Through our transitional support program, abused women and their children who are ready to move out of emergency shelters are becoming equipped to move into the community on their own. They have support and they're ready.

We have also introduced an early intervention program for our children who have witnessed domestic violence. It is estimated that close to half a million children in Canada have either seen or heard violence in their homes. This is a daily occurrence and one that all of us should be made aware of and one that all of us across all sectors, in a very non-partisan way, should be aware of and should do our best to help stop. These children are very much at risk in our own communities, not only during childhood but later in life, because this carries on in their lives, when they can often continue that sad legacy of family violence, either as victims or perpetrators.

1410

We had a program called *The Joke's Over*. It starts in our schools, and this means that the joke is over. It's not funny to harass other people in our classrooms, men or women, I might say.

Through early intervention we can encourage our young children to better understand their experience and recognize that violence is not their fault.

This government is making sure that the supports are out there for women who need it, that the justice system is there, the shelters are there, the crisis services, the counselling assistance and so on. We have a number of ministries involved in delivering programs and services related to violence against women, and we work closely with our partners in our communities. All of us and all of them are invaluable players in this terrible battle.

We are making progress in stopping domestic violence in Ontario. A recent Statistics Canada study found that between 1993 and 1999 the rate of violence against a female spouse dropped in Ontario from 12% to 7%, and that number is still far too high. According to the same study, the rate of spousal assault for Ontario women is the second lowest in Canada. The data show that more women are using social services and the justice system. I expect they're using them because they're helping them and we're getting results.

We are making progress. The message is getting out there: violence against women is a crime and we will

hold perpetrators, abusers, accountable. We're determined to continue in this important work.

Every woman has a right to safety. We're not where we want to be in Ontario, maybe not even nearly, some would say, but we are working hard together.

I want to thank my critics for their support in the work I've been doing since I've been minister in 1995, and my colleague Helen Johns has assisted us. The women have worked together, and I'm very pleased to say that.

All these supports are based on our right to live in safety, and that's the Ontario we believe in. We are on our way to that Ontario and every individual in this House, I know, has pledged to themselves and their families and their constituents that we will work together to stop domestic violence and any kind of violence against women and everyone.

### OAK RIDGES MORAINÉ

**Mr James J. Bradley (St Catharines):** The road to Damascus is indeed today crowded with the converted. There's nothing like a resounding defeat in a by-election in the midst of the Oak Ridges moraine, a sustained drop in the public opinion polls and relentless pressure from the public to make a reluctant government do what in its wildest dreams it had no intention of doing, and to this very day does not want to do.

In my 24 years in this Legislature, I cannot recall such an effective and sustained campaign by a member of provincial Parliament as that undertaken by the Liberal member for Eglinton-Lawrence, Mike Colle, to save the Oak Ridges moraine from development. His enthusiasm, energy, determination, perseverance and enlightened leadership on this issue, his walks across the length of the Oak Ridges moraine, his public forums, his persistent questions in this House and his private member's bills put this issue front row and centre in the public mind.

Mike Colle refused to take no for an answer, and today we witness a government, which only months ago heaped ridicule on this member, now in full retreat and trying on an ill-fitting environmental coat.

Thank you, Mike Colle, for saving the Oak Ridges moraine.

**Mr Mike Colle (Eglinton-Lawrence):** I want to thank the member for St Catharines for his leadership. I also want to thank the minister, as I did last time, for taking a brave step that his predecessors refused to do.

I also would like to thank all the patient constituents in Eglinton-Lawrence who were wondering why I was always travelling to places like Snowball and Goodwood, but they understood that this region is something we all share together, whether you live in King City or whether you live on Kingston Road. They understood that the health of this region environmentally is for the benefit of all the six million people who live here.

I also want to thank the good taxpayers of the city of Toronto who were generous enough to give a million dollars to help fight for the Oak Ridges moraine at the Ontario Municipal Board. Without that million dollars,

we couldn't have broken the back of the developers, so I certainly want to thank the taxpayers and the council of the city of Toronto.

I also want to thank a lot of the unsung heroes who are really responsible for saving the moraine. These are people whose names you don't see in the newspapers. These are people the minister doesn't know. These are the people who are responsible. I just want to name a few of them. There's Teresa Johnson in Goodwood; Jane Underhill in King City; David Tomlinson in Aurora; Susan Walmer in Aurora; Ben Kestien in Aurora; that brave councillor in Richmond Hill who took on all the developers in Richmond Hill, Brenda Hogg; another brave councillor in Markham, Erin Shapiro; Howie Taylor in Newmarket; the Hoffelner family in Richmond Hill.

These are the little people who weren't intimidated by this government and their developer friends. They fought for the moraine tooth and nail. They never gave up. They are the ones who should be congratulated, and I congratulate them.

I hope this is the beginning of a more liveable, healthier province. We all win when we succeed.

I know that as members of the opposition or lowly MPPs we are told, "You can't do anything," but I think this victory today is a message that whether you're in opposition or you're an MPP from wherever, by persistence and the support of the citizens and taxpayers and people who care in this province, you can achieve good results. Today we have achieved a good result. We are going to continue to fight for this good result and make sure the bill is strengthened, because we think there are things to strengthen it.

I want to give praise to all the people who for six years have been ridiculed by this government. This government has tried to shut them up, but they refused to be intimidated. I want to tell them to tell all their friends and neighbours that you can take on big government and win, that you can take on big government and save the environment. So whether you're in Windsor or Wawa or Scarborough-Agincourt or wherever you are, if you are fighting for the right cause and you stick together, you can win.

I think we should all stand up and say thanks to those people who fought to save the moraine.

### DOMESTIC VIOLENCE

**Ms Marilyn Churley (Toronto-Danforth):** The minister responsible for women's issues refers to Statistics Canada numbers in the claim that Ontario has the second-lowest spousal assault rate in Canada. It sounds good, but I want to remind her that up to 40 women die every year in Ontario due to spousal assault, so please do not diminish that bleak reality. I also want to remind her that 75% of assaulted women never, ever go through the criminal justice system, so we know that the existing statistics under-report the stark reality of violence against women.

I also want to point out to the minister that we're grateful, actually, that the government is finally starting to restore a small amount of the front-line services they cut when they first came to office, but they've still stayed away from the big-ticket items outlined in the strategy that over 100 women's groups brought forward last year, which our party, the NDP, signed on to and the Liberal Party signed on to but the Tory government didn't. Those are social supports, legal aid and housing.

On the topic of housing, let me say to the minister once again that second-stage housing, that community, is so demoralized that they didn't even come down here today as they usually do to make a statement on this very day. Second-stage housing is closing across the province.

I want to also point out to this House that in the Gillian Hadley inquest that's going on right now, there are a lot of factors involved in that murder-suicide, but we do know one thing, that she knew she was in danger, needed to get out, was looking for housing, couldn't find it and was trapped in that situation. So I would urge the government today to open up, to re-fund second-stage housing and to continue building or bring back affordable social housing in this province, particularly for women and children who need it and who are fleeing from a violent situation.

1420

### OAK RIDGES MORaine

**Ms Marilyn Churley (Toronto-Danforth):** I want to talk briefly about the Oak Ridges moraine. I do want to take this opportunity to congratulate the government today. I think it's a very good move, one that took a few years to get to. It is incumbent upon me, on behalf of the NDP caucus, to congratulate the minister and the government, but in particular this is a victory for the environmental community and the people in the 905 region who came out in the thousands to meetings, relentlessly. Nothing stopped them. They were there day after day after day and they kept up the fight. So I would say to them, congratulations. You have shown the people of Ontario that if you're relentless and keep fighting, you can win at the end of the day.

I suppose also that having a leadership race where a number of the people who are running or may be running are from that area might have made it move along a little more quickly. Hey, that's OK. God bless.

I want to take this opportunity to say to the minister and the government, the next stage is this: remember the NDP green planning act? Do you remember that? John Sewell went out for a couple of years and consulted, brought it back in the House. There was a consensus. One of the first things this government did when they came into power is, guess what? They wiped out the green planning act. I can assure you that had that new planning act been kept in place, many of the problems that cropped up around the Oak Ridges moraine never would have happened. It would have been ruled out because it's environmentally sensitive land. So the next



stage in this fight to preserve our environmentally sensitive land and our drinking water is to bring back a green planning act so that we can protect all of the environmentally sensitive land across the province.

It's true that it might take a couple of years. I know the people on the Oak Ridges moraine have a victory today, but that is the next stage of this fight.

There are a couple of things—I have to look more closely at it. I'm still concerned about the highways. You know the iron rule of development is that if you build a highway, development comes. So the opening up in 10 years, some say it could be there to improve it. My belief is that if there is a highway built, development will come, and in 10 years—who knows who is going to be over there in those seats?—the push will be to open it up for development again.

But I do want to say thank you to the government and congratulations to the people of the 905 region.

## ORAL QUESTIONS

### COUNTERTERRORISM MEASURES

**Mrs Sandra Pupatello (Windsor West):** My question is for the Solicitor General. It's been 50 days now since September 11. In that time, your only actions have been to run full-page ads across the province in newspapers, handing profitable corporations tax cuts or accelerating them, supposedly, and some paltry funding. The fact is that you are not assisting with important issues of security, and this is becoming more and more clear. Canada's largest city sent you a plan to improve its emergency response. It was prepared by the chief of police, the fire chief and Toronto's emergency response unit. The document spells out a number of needs identified by the police and fire in Canada's largest city. Yesterday you admitted that you hadn't even read the report.

Why would you stand in the House yesterday, make a statement and identify costs that you are supposedly passing on to help when you hadn't even read what the needs were?

**Hon David Turnbull (Solicitor General):** Nothing is more important to our government than the safety and security of our citizens. The security advisers we've consulted with included the chiefs of police across Ontario and emergency management experts at all levels of government, and we have used Major General Lewis MacKenzie and RCMP Commissioner Norman Inkster. We've developed a very solid plan which we believe will be very effective.

We've developed a very solid plan which we believe will be very effective. Our plan will greatly enhance Ontario's security and emergency preparedness. The plan will enhance our intelligence-gathering capabilities. We will improve our ability to catch terrorists, which is critical in this issue, and will better prepare Ontario for chemical and biological attacks.

What I said yesterday was that in fact we had received the plan as an e-mail. There has not been an official request from Toronto. But having said that, my ministry officials have been meeting with the city of Toronto—

**The Speaker (Hon Gary Carr):** The Solicitor General's time is up, I'm afraid.

**Mrs Pupatello:** Minister, information is so different that we hear from the people who are dealing with this. Not only have you not read the plan, but Toronto staff have actually spoken with your staff. The truth is that you, Minister, are the only one who has not seen the plan, or you would know that the request outlines \$60 million to be used to assist with Toronto's plan only.

Here's another group you forgot entirely, didn't even mention yesterday, and that is Ontario firefighters. I want to say specifically that the Ontario Professional Fire Fighters Association has been trying to get answers out of your ministry for the last two days. Let me quote what they say. "The OPFFA"—the firefighter federation—"is extremely frustrated by inadequate details on money for firefighters. There is a lack of recognition about who is responding to these emergency calls."

Firefighters are the front-line response to serious chemical and biological threats, and they should have been mentioned. They deserve to be in the loop. What do you have to say about this woeful neglect of firefighters?

**Hon Mr Turnbull:** Firefighters of course are one of the main elements of the emergency plan. I would like to just say that in fact my uncle was an officer in the London fire brigade throughout the Second World War and saw the Blitz. We know and respect firefighters.

As to the specialized training we've talked about for first responders, the lead will actually be taken by the fire marshal's office and will be administered at the fire college. The fire marshal, in case my friend across the way doesn't know, reports through my ministry. The specialized training for first responders will include \$1 million for generic training, and we're also going to be having some \$1.5 million for specialized training on these very important issues.

**Mrs Pupatello:** Minister, had you read the plan that you were supposed to read before you made your announcement yesterday, you would have known that in that plan, the city of Toronto's fire department is looking to hire new staff at a cost of \$10 million just for the city of Toronto. How are you going to meet the needs across Ontario when every fire department has responded to an extraordinary number of calls? We are looking at increased overtime across the board in Ontario. You will not meet those needs with the announcement you made yesterday. Moreover, the paltry sums you're talking about show us that you have no sense of what the real issue is that is needed in first emergency response.

We are expecting this information from a Solicitor General before he makes an announcement, that he is informed, that he talks to people who count, that you would have spoken to the chief of police of the largest police force in the nation. Whether you want to talk to him or not, he is highly relevant in this discussion. And to have ignored the firefighters yet again is unacceptable.

We are expecting to see real action and support from the Ontario government, Minister. When are we going to see that?

**Hon Mr Turnbull:** In point of fact, there was fairly extensive consultation with police chiefs from all across the province and I personally spoke to the chief of Toronto.

I have indicated that there is specialized training for fire officers. I think the number you're referring to for recruiting fire service officers in Toronto is a number which has been floating around for some 18 months that in fact Toronto city council turned down.

**The Speaker:** New question. Member for Windsor West.

**Mrs Pupatello:** Minister, the truth is that in the kind of training required today just to deal with hazardous materials, we are woefully inadequate in Ontario. Communities like Aurora, Burlington, major centres like Waterloo—these are locations that do not have hazmat training. Do you realize that the suits they need to purchase for their people are \$2,000 alone? That is across Ontario, and the situation of the costs they have already incurred is incredible. In Windsor alone, their emergency centre that they opened for several days post-September 11 was a cost of \$22,000. You are not announcing anything that will recoup costs that we insist be recouped because of issues beyond a local municipality's control. You are describing today training that comes nowhere near the level of training that is currently required by firefighters across Ontario. We know this and the firefighters know this. The minister should know this. When are you going to address this matter?

1430

**Hon Turnbull:** Let me emphasize that our plan will give the specialized training and the equipment that firefighters and indeed all emergency first responders need to be able to address these serious issues. We are addressing the issue and have looked at it very carefully. Additionally, of course, we have called for, at the beginning of next year, a counterterrorism conference, and we will be taking all of the best expertise in the world into consideration as we further develop our plans.

I will say that we have worked very closely with the federal government in developing our response and we hope that the federal government will come forward with funds to address some of the issues of this province too.

**Mrs Pupatello:** What is very clear in this House is that this government cannot work co-operatively with any level of government. Even when it counts, like national security, you are letting Ontario working families down. We expect you to be co-operative. You should be speaking to municipalities about what their needs are.

Let's return to firefighters' needs right now. What we identified yesterday, and clarified later, was that you said \$2.5 million for first response teams across the province. That includes the police, fire, emergency services and these preparedness committees. So how much, truly, is going to firefighters? How much is going to assist with radiation meters that have needed to be purchased

because of biohazard material being found? How much is going toward the new biotest kits for that initial testing? How much is going toward new level B and C suits, these level A suits for the firefighters to actually wear into these communities when they have a call for bio-hazardous material? Talk to us specifically about how you are helping our firefighters.

**Hon Mr Turnbull:** As I've indicated to you, in fact we will be providing equipment for suiting up for the first responders to emergency situations and giving specific training for hazardous materials and chemical, radiological, biological and nuclear situations.

As well as that, in the announcement the other day was the creation of HUSAR, or heavy urban search-and-rescue, capability, which we believe will be a significant addition to Ontario's capability of responding to any emergency.

But I must mention to the honourable member that fire services and police services across the province are and always have been, under your government and under the NDP and under ourselves, the responsibility of the local municipality.

**Mrs Pupatello:** You just said that you are going to be helpful in this time of national crisis. The entire public in Ontario expects every level of government to work together. You are supposed to be co-operative, but now here's where the rubber hits the road. You in fact don't want to be co-operative. We are seeing right through your paltry announcement of yesterday. We just told you that we know that the report for the city of Toronto alone is not going to be covered by what you announced yesterday in the House. Where does that leave other communities? Where are most of the communities in Ontario that do not have hazmat training going to find the money? Is it really the local municipality's responsibility now to ensure the safety of all Ontarians, in a day when we are facing a national security threat like never before?

The truth is, Ontario working families want every single level of government to work together. Instead, what we get from you is partisanship. Every day we get partisanship instead of co-operation. We expect you to be helpful. We expect you to assist. Today in this question we want to know how you'll help Ontario's firefighters.

**Hon Mr Turnbull:** I would ask the honourable member, what part did you not understand? We are going to provide additional hazardous material training and there is an element of the course at the fire college today. But we will be enhancing it and improving it and getting it all across the province more rapidly. That was my answer.

#### CONTAMINATED SOIL

**Ms Marilyn Churley (Toronto-Danforth):** I want to ask the Minister of the Environment why she's putting such a cheap price on the lives of the people of Port Colborne. Minister, your sinister report, just released, says it is acceptable to you that Port Colborne residents be exposed to a lifetime cancer risk 10 times higher than



your own mandatory guidelines for contaminated soil. Would you explain to this House why the people of Port Colborne do not deserve the same level of protection that your guidelines say must be utilized?

**Hon Elizabeth Witmer (Minister of the Environment):** I'd like to thank the member for the question. As the member knows, our government's number one commitment always has been to ensure that the health of the citizens in Port Colborne is protected. I would also like to indicate at this time that the local member, the Honourable Tim Hudak, has worked very hard to ensure that the health of those citizens is always protected.

We have done more to try to identify the contamination than any other previous government. As you know, this is a long-standing problem. It is a problem of 60 years of emissions which we are now addressing. We did do a report that, as you know, was reviewed by a panel of leading scientists. I'd just like to indicate to you who it was that reviewed the report to ensure that the information was accurate. We had Dr Bathija from the USEPA; Dr Norseth from Norway; Dr Schoof from Washington; Dr Wheeler from the Agency for Toxic Substances—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up.

**Ms Churley:** I've been told that four out of the six panellists are the same ones who made the mistakes in the last report that had to be corrected this time.

The minister also knows that the federal government listed nickel oxide as a class 1 carcinogen in 1994 and this government has done nothing since that was listed in 1994 when it was known to cause cancer.

Minister, I have the site-specific risk assessment right here, published by your own ministry, and this is what it says: a lifetime additional cancer risk of one in a million for carcinogens must be utilized, but you say that in Port Colborne a lifetime additional cancer risk of one in a hundred thousand is acceptable. Minister, why are you treating these people like second-class citizens? Why are you continuing to expose them to nickel oxide, a known carcinogen, at a level 10 times higher than your own guidelines say must be utilized?

**Hon Mrs Witmer:** We have taken every step to ensure that the health and the safety of the residents in Port Colborne are protected. In fact, we have worked in collaboration with the local health unit in order to do the health studies that are necessary to ensure that the health of the residents, particularly the children, is protected. I'm pleased to say that the local health unit is continuing to proceed with another health study. The Ministry of the Environment will continue to participate in this process. I would stress that our priority is always to ensure the protection of the health and safety of these residents.

I would just add again that we are the very first government, even though this is a long-standing problem, which has taken steps to address this very serious issue.

**Ms Churley:** Well, Minister, that's because the federal government told you in 1994. That report came out shortly before you came into government. You came in

in 1995, took over and did nothing. Your attempt to make Port Colborne accept higher risks—

**Mr Steve Gilchrist (Scarborough East):** You were in government in 1994.

**Ms Churley:** It was just before you came into government—than you would accept elsewhere directly contradicts the terms of the community-based risk assessment plan your ministry approved.

1440

Minister, let me tell you what's at stake here. Will Inco be required to only clean up 25 sites or will you follow your own guidelines and order the cleanup of closer to 200 sites that your own guidelines would require? What is it going to be? Will you follow your own rules or not?

**Hon Mrs Witmer:** I know sometimes there are those in the province who would like to forget the years between 1990 and 1995. Certainly you've indicated that the original time this issue became of significance was in 1994, and unfortunately your government did not take any action.

I would like to stress all of the hard work that's been done by the Honourable Tim Hudak in this regard to protect the health and safety of these residents. But let me again stress that on October 30, in order to ensure we could protect the health of the local residents, we did issue a draft order to Inco which includes the following requirements: clean 25 properties above the intervention level; clean inside the homes of the 25 properties identified; undertake further sampling and clean up additional properties as required.

I would like to stress again that this is an issue of 60 years. You had a chance to take action. You did nothing, and we are now moving forward to protect—

**The Speaker:** Order. The minister's time is up.

## RETAIL SALES TAX

**Mr David Christopherson (Hamilton West):** My question is for the Minister of Finance. Yesterday, in response to my leader's question in this House you admitted that a sales tax holiday would work. In fact, you said, "Yes, there's a temporary acceleration of sales." Yet in the same breath you said that because the auto industry expression of pulling ahead sales meant there'd be sales earlier and they wouldn't be there later, you weren't going to do this. Yet it is the auto industry themselves that are doing exactly that by virtue of offering money to buy a new car at no cost so people will purchase cars now. If you take that and link it with the fact that you've admitted that a sales tax holiday now would accelerate immediate purchases, the question remains: why won't you implement a sales tax holiday to spur sales, preserve jobs and put people back in the stores? Why won't you do that, Minister?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** We won't do that because we are concerned with the long-term economic growth and stability of Ontario, not next week or the week after that.

**Mr Christopherson:** Minister, that doesn't wash in light of a meeting you had yesterday. You had a meeting yesterday with the president of the Ontario Restaurant Hotel and Motel Association. Coming out of the meeting, they're quoted in the paper as saying, "We clearly want to see and hear what steps the government is going to take to put some consumer confidence back out there, to get people back out spending."

They made that statement yesterday, weeks after you announced your accelerated corporate taxes. If they felt that was sufficient, they wouldn't have come out of the meeting yesterday and said, "We want to know what the minister's going to do today." The NDP is saying to you, what are you going to do today?

Your tired, rhetorical argument about corporate taxes doesn't wash with the retail sector, it doesn't wash with the NDP, and it doesn't wash with the public. I ask you again, why are you sitting back praying and hoping that people will maybe go in the stores next year in the depths of the recession rather than taking immediate action now that will save jobs and have people out in the stores?

**Hon Mr Flaherty:** Indeed, there was a very helpful consultation yesterday with representatives of the manufacturing sector, the retail sector, the tourism sector, the restaurant sector, representatives from small business, larger business, the automobile sector. We had a very useful session yesterday. I listened carefully to what I was being told. I was not being told to reduce the retail sales tax, as the member seems to imply. That is not what I was being told. I was being told of continuing challenges and diminution of business in the restaurant and tourism sector in particular and the need in that sector to encourage people to get back out, to go out for dinner with their families, to travel around Ontario, to visit our tourist sites. They were very happy, I can tell you, with the tourism initiatives that have been announced by my colleague Mr Hudak, the Minister of Tourism, and the other security measures which also affect the confidence that consumers have in their willingness to travel within the province and thereby increase our RST.

#### EMERGENCY PREPAREDNESS

**Mr Mike Colle (Eglinton-Lawrence):** My question is to the Solicitor General. Toronto's fire, ambulance and police services worked very hard to develop a security plan to help protect the 2.5 million citizens who live in our largest city. The men and women on the front lines, the heroes and experts in emergency response, sent this report to you weeks ago. Yesterday you said, "We in fact never received the Toronto plan." This is what Chief Fantino said: "We just can't continue to be ignored. We are to Canada what New York is to the United States."

Even worse than your incompetence in ignoring the security plan, city officials say you, the Premier and three other ministers had this plan for three weeks. Your ministry staff even called to ask questions about it, and it's been in the press.

Minister, how can this be a comprehensive plan if you've left out the city of Toronto and you won't even talk to the people who lead the front-line services?

**Hon David Turnbull (Solicitor General):** In fact, as I've indicated, the copy of the Toronto plan which we received, which I've certainly read—there was a copy sent over the Internet. It's something they posted on e-mail. There's been no formal request.

Having said that, we have consulted with the chief and many, many chiefs, in fact the majority of chiefs from all across the province. I've personally listened to the chief and others expressing their concerns as we developed our plan. His comments were certainly taken into consideration. Our plan is going to enhance intelligence gathering for the whole province. Our plan will improve our ability to catch terrorists, which is obviously the most important element. We will better prepare Ontario for chemical and biological attacks and we'll ensure that an effective and coordinated response to large-scale emergencies is available. We've demonstrated our commitment. Where are the feds on this?

**Mr Colle:** I want to say that what concerns me is that you've developed a plan that's supposed to protect all Ontarians. There's a big hole in your plan, and the big hole is called the city of Toronto. You, either through incompetence or through not caring, have not read the plan. You haven't even had the courtesy to consult with the head of emergency services in Toronto or the police chief and asked them for their input.

Minister, either you explain why you haven't consulted Toronto or you come up with a new plan that will include funding for the front-line services in Canada's largest city and stop doing what Chief Fantino says. He says, "We just can't continue being ignored. We are the largest city in Canada. I guess we'll have to go back and burden the Toronto taxpayers even more."

When are you going to come up with a plan that includes the 2.5 million people in the city of Toronto?

**Hon Mr Turnbull:** Let me tell you, first of all, I've met with Chief Fantino, as I did with all of the police chiefs.

**Mr Colle:** No, you didn't.

**Hon Mr Turnbull:** Well, you're wrong, sir.

Additionally, Dr Young, the head of Emergency Measures Ontario, met with him and his representatives twice; he met with Deputy Chief Boyd and Fire Chief Al Speed. We've been working with them and listening to them ever since.

Let me tell you what the plan does for Toronto. We are providing training and funding for the Toronto-based heavy urban search and rescue team; specialized training for chemical and biological response teams, which will assist Toronto if it's ever needed; first responder training for Toronto's firefighters, police and other emergency workers; assistance in training Toronto municipal staff on emergency measures; chemical and biological safety equipment that will be available to Toronto; assistance to owners of large buildings in developing emergency plans—



**The Speaker (Hon Gary Carr):** Order. I'm afraid the Solicitor General's time is up.

1450

#### NUTRIENT MANAGEMENT

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of the Environment. Minister, in an article of September 26 in the Brighton Independent, Maureen Reilly, who claims to be an environmental researcher and lecturer at the University of Toronto, has some very interesting quotes about the application of sewage sludge on agricultural land. She made these comments to the Warkworth Service Club back in September. These quotes appear as rather exaggerated statements about the quantities and the toxicities of sewage sludge.

Could you please tell my constituents, and particularly those constituents in the Warkworth area, what regulations are currently in place with respect to the use of septage and biosolids on agricultural lands and how those regulations are indeed enforced?

**Hon Elizabeth Witmer (Minister of the Environment):** The government has always taken very seriously the need to protect the environment. If we take a look at the question that has currently been asked, I'd like to indicate that the ministry regulates the spreading of biosolids on agricultural lands through the issuance of a certificate of approval. The certificate-of-approval mechanism allows the director to ensure that strict environmental standards and guidelines are always maintained. That is presently what is in place. It's through the certificate of approval.

**Mr Galt:** Thank you, Minister, for the response, but in view of your response and ongoing controversy over the application of sewage sludge to farmland, it would appear that steps should be taken to ensure the proper protection of our environment and the health of rural Ontario.

What further steps will you take to ensure that Ontarians are indeed protected and that they have the necessary information to understand how our environment and our public health are being protected?

**Hon Mrs Witmer:** I would certainly agree with the concerns that have been expressed by the member. I'm very pleased to say that this fall, of course, under the leadership of the Minister of Agriculture, Food and Rural Affairs, and with the support of the Ministry of the Environment, we have introduced nutrient management legislation which will deal with the issue of biosolids. We will ensure that, following very extensive public consultations, there will be some very strong new protective measures. We will make sure that all land-applied substances are properly managed. Of course, this is all part of the Operation Clean Water initiative that we introduced in August 2000.

I would add that the application of untreated sewage will be phased out in five years. So we are taking steps to protect the environment.

#### HOSPITAL FUNDING

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the Minister of Health. I would like to take this opportunity to thank you for your meeting last week with parents and doctors in London. I was very pleased to hear the alternative funding arrangement plan that you're going to be working toward, even though it's been talked about for three years. I really urge you to act quickly on that and the other commitments that you made to the families and the doctors last week.

But pediatrics isn't the only concern for people in southwestern Ontario right now. Such programs as vascular surgery, reconstructive surgery, the burn unit, the transplant program and the cardiovascular program are all of concern to people in southwestern Ontario. Health professionals have been sounding the alarm and providing information and making it known that the board didn't have all the facts when it made its decision, including a letter that was sent on October 10 to you and all the area members from Dr DeRose.

Minister, with all this new information that's come to light and all these new facts, will you please stand in this House today and immediately order a halt to this scoping exercise at the London Health Sciences Centre?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I'm not prepared to do that, but I am prepared to repeat in this House for another occasion, today, that we are seeking to make decisions based on clinical outcomes. We want the best health care available to Londoners of all ages, particularly our kids, but of course for all ages.

This is a process that should be relying on scientific evidence and scientific fact rather than allegation and supposition, and I'm sure the honourable member agrees with me on that score as well. So we have a board of the London hospital that has made some representations on what they think the clinical evidence indicates. Now we've had some push-back from others who are questioning that, and it's good to have that public debate.

We will be driven by the best clinical outcomes, and if there is information and evidence and reports and things that we can hang our hat on that are different from where we are and that make a difference, I encourage the honourable member to share that with this House.

**Mr Peters:** I think it's very important that we urge you, and the people of southwestern Ontario are urging you, to act very quickly on this. Physicians and surgeons are speaking out.

I want to quote from a letter that talks about how these proposals will create major disruptions in the health care of citizens in southwestern Ontario, inevitably leading to the deterioration of teaching programs in the faculty of medicine at Western. These hospitals are recognized nationally as leaders in patient care, innovation in surgical procedures and excellence. These cuts mean London will not be able to continue to attract highly qualified physicians and surgeons.

This is a letter from doctors in London, and I'm going to send this over to you. But you know, we have filed an

opposition day motion for Monday, and patients and families and health care professionals across southwestern Ontario are going to be watching how you and the other Conservative members of this Legislature react and vote on that.

Minister, will you please today rise and say that you will be standing up and supporting this opposition day motion next week so that we ensure that we're going to be looking out for the best interests of all the patients of southwestern Ontario?

**Hon Mr Clement:** Well, I'm on the side of the patients. I'm on the side of Londoners. I'm on the side of those who want better quality health care in London and throughout Ontario. I should repeat for the record—it bears repeating—that total funding for the London hospital has increased by 29% over the last two years, and that shows our commitment to Londoners.

The honourable member is worried about recruitment. I can tell you, and I will tell this House again, that 60 physicians have been recruited by the London Health Sciences Centre in the last two years—five clinical neuroscience specialists, nine radiologists, five OB/GYNs, five emergency medicine specialists, 11 surgeons, five anaesthetists, eight oncologists, eight pediatric specialists, three family medicine specialists, four psychiatrists, eight general medical physicians and seven pathologists.

So that is the commitment that London Health Sciences has had. Of course, that is funded through the Ontario government funding. That is our commitment to Londoners in Ontario.

### POST-SECONDARY EDUCATION

**Mrs Julia Munro (York North):** I have a question for the Minister of Training, Colleges and Universities. Parents in my constituency have been asking me where they can find good information about what post-secondary educational opportunities are out there for their children. Things have certainly changed over the years, and trying to make an informed decision about what field to enter can be very challenging. Minister, do you have any suggestions that may assist these parents?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** Keeping our students informed as to their choices for the future, especially young students—grade 10 is what we're aiming the information to, and their parents—is extremely important as they make choices for their post-secondary education and their training education as well.

This morning we were at St Joseph College School here in Toronto to work with young people and especially to work with the Council of Ontario Universities to launch a Web site. It's called myfuture.ca. This Web site is intriguing in that young people, just at the click of a mouse, can find out the requirements for universities; they can find out geographically where they're located, what they offer. They can find it out by university. They can find out good information about the course of study.

I'm so pleased that the Council of Ontario Universities is out ahead of almost everyone in making sure that young people get good information. It's an excellent opportunity for us to work with our partners.

1500

**Mrs Munro:** Obviously the Web site will prove to be a good tool for parents and students in the years ahead. However, as you know, Minister, knowing what is required to enter a post-secondary program is only part of the decision-making process. Are there any other tools available to help parents make informed decisions?

**Hon Mrs Cunningham:** The government believes that students and parents deserve a clear picture of the ability of our colleges and universities and training systems to successfully place our graduates in jobs. That's why the government has already produced several initiatives, such as key performance indicators, for students to look at as a report on how our colleges and universities are doing. We have a tuition cap, which is a 2% increase a year for five years, because parents want to know what the cost will be of going on to post-secondary education. We know everybody wants to be informed. The key performance indicators tell us what the graduation rates are, the percentage of graduates who find jobs, and how employees feel about this course.

I will say that the best information that can be made available is important for students and their families in order to make good choices as to where they study and take apprenticeship training programs.

### LUMBER INDUSTRY

**Mr Gilles Bisson (Timmins-James Bay):** My question is to the Minister of Economic Development and Trade. You will be aware that the US government has again ordered a frontal assault on the lumber industry by imposing yet another unwarranted and unfair duty on Canadian lumber. This latest 12.5% duty is on top of the 19.3% duty they imposed on us last April.

Your only response to date is what we now see in the National Post. It gives your comments: "If other provinces have run afoul of the United States, it is up to them to get themselves out of trouble." Minister, don't you realize we're all in this fight together across Canada? Don't you realize that the provinces cannot be split apart when it comes to this because at the end of the day we're all in the same boat together? In fact, your comments are exactly what the US wants as it divides us in our fight against what is no more than American protectionism.

Minister, simply put, will you distance yourself from those comments and work with the lumber industry in other provinces to find a solution to what is another attack on Canadian industry?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** The member is wrong with respect to how active this ministry and this government have been related to this issue. We have been very involved. I've met with forest industry officials in On-



tario. I've met with Minister Pettigrew in Ottawa. I went to Ottawa to talk to him specifically about this issue.

Our position is quite consistent with that of the industry in Ontario. Ontario does not subsidize its forest industry practices. I think there are some serious questions the US has raised about other jurisdictions. Our view is that free trade should be free trade. Ontario is complying with the rules, and if other provinces aren't, they should clean up their act.

**Mr Bisson:** You're totally out of sync with the industry, simply put. Frank Dottori, the head of Tembec, has tried to pull all of the industry together so that we fight together from coast to coast across this country against what is no more than American protectionism when it comes to our industry.

These are your quotes in the paper. They are not Frank Dottori's, they are not the Premier of Alberta's, and it's not Mr Pettigrew up in Ottawa who said that; it's our own Minister of Economic Development and Trade. I say again, your comments are, "If other provinces have run afoul of the United States, it is up to them to get themselves out of trouble." That isn't a Canadian strategy, that's divide and conquer, and that's exactly what the Americans want.

I say again, Minister, join industry, join the provinces and work together with us to find a solution to what is yet another attack by the Americans against their so-called friends here in Canada.

**Hon Mr Runciman:** The member can rant and rave all he wishes—he's prone to do just that—but the reality is that we have worked with the industry. Ontario is a free trader. We believe in free trade. We are not subsidizing our industry. We have encouraged Mr Pettigrew, and we're going to continue to encourage him, to look at the route of litigation, to look at the trade bodies to have this dealt with. Our industry is not subsidized. We believe in a level playing field. If there is a legitimate case to be made with respect to other provinces, they should deal with that on a province-by-province basis. Ontario does not have a problem. We should not be penalized and that's a position we will continue to take.

### CORPORATE TAX

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. You've urged the federal government to cut corporate income taxes by another \$7 billion over what they had planned. To quote you, "The federal government needs to cut corporate taxes deeper." You want them to cut another \$7 billion to get corporate taxes roughly 45% below our competitors in the US. My question to you, Minister, is this: knowing the challenges governments at all levels face today, why are you recommending that the federal government cut corporate taxes by another \$7 billion?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Because our corporate taxes are too high in Canada. So are personal income taxes. Our taxes remain too high in this country and we know it from experience since 1995.

I know the Liberals don't understand that and I don't expect the Liberals in this place will ever understand that. The Liberals in Ottawa understand that if you reduce taxes, you will indeed increase government income, you'll increase revenues. Paul Martin believes in income tax cuts. Even Jean Chrétien believes in income tax cuts. But the Liberals in this House, for some reason, have not seen the light. They have not seen the evidence, the experience in Ontario in the last six years, that if you reduce the high level of taxation in this country you will in fact increase government revenues.

**Mr Phillips:** I want to again say that you are recommending, Minister, that the federal government cut another \$7 billion of revenue. You want corporate taxes to be 45% below our competitors in the US, and I say to you, next week we will find out the problems we are going to face in maintaining our essential services.

I want you to answer to the people of Ontario why we need corporate taxes 45% below the US, when the US believes you have to compete on the basis of the quality of your health care system, the quality of your education system and not by having taxes 45% lower than your competitors. Why are you urging the federal government to cut \$7 billion dollars of needed money out of taxes in order to be 45% below the US?

**Hon Mr Flaherty:** This is the way the Liberals think. They think two-dimensionally, that if you reduce taxes, the government will have less money. That's not so. Everybody else in this country understands that. You'll increase economic activity. You'll increase retail sales tax. You'll have more people employed. You'll have more investment. We've proved it in Ontario.

Even Jean Chrétien, an old Liberal, understands that. He says our tax system is now very competitive with the Americans. If you look at Ontario, the income tax in Ontario, provincial and federal together, is competitive with New York, Michigan, California and the state of Washington; and corporate tax too. Even an old Liberal gets it. Not only that, the young Liberals get it. The young Liberals say we should have an increase in the basic personal income tax exemption from \$6,673 to \$10,500. Young Liberals get it, old Liberals get it, but these Liberals don't get it.

### TAKE OUR KIDS TO WORK DAY

**Mr Bart Maves (Niagara Falls):** My question is to the Minister of Education. Next week many grade 9 students from my riding and indeed from all across the province will be taking part in the Learning Partnership's Take Our Kids to Work job shadowing experience. One year ago today two children were tragically killed in an accident during the annual Take Our Kids to Work event, while visiting an industrial site in Welland. Minister, can you tell me what has been done since this terrible accident to safeguard children for this year's event?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I thank the member for Niagara Falls for this question. I know all the members of this House would certainly wish to again convey our con-

dolences to the families on the anniversary of the tragic death of two students who were on the Take Our Kids to Work experience.

This program has actually been offering for many years now valuable experience for all the grade 9 students at a crucial time when they are making decisions about what kind of jobs or professions or trades they might want to pursue. It's not a mandatory program, but this government, through the Ministry of Education and the Ministry of Labour, has been very supportive of it.

1510

I'd also like to congratulate the Learning Partnership, because when the tragedy occurred last year, they immediately had an expert safety panel; it's come out with 14 recommendations. The Learning Partnership has moved very, very quickly to put all of those recommendations in place for this year's Take Our Kids to Work Day, and I'd like to congratulate them for all of their work on this to keep this opportunity there for our students.

**Mr Maves:** Thank you, Minister, for your answer and for your assurances. I agree with you that the experience of Take Our Kids to Work Day is a very positive experience for our children. In fact, next week my nephew Matthew will be attending work with me all day and I look forward to that.

I also understand that the Learning Partnership has been quite responsible in dealing with the tragedy, although I still have some concerns about some of the day's activities. I understand that participating students will still be allowed to visit industrial sites that are similar to the site where these two children died last year. What steps were taken by the Learning Partnership specifically regarding student safety on industrial sites during the Take Our Kids to Work event?

**Hon Mrs Ecker:** There were, as I said, 14 recommendations for improved health and safety in the program, for example, mandatory supervision of students, sessions on health and safety rules, a ban on driving motorized vehicles, special supports for the teachers who are involved in this program. The Learning Partnership has moved forward with all of those recommendations to make sure that all of our students who participate in this are safe.

As I said, there's valuable experience in that our students are getting to visit a wide range of workplaces, including small businesses, large offices, plant sites. This is all part of our education plan to help our young kids, our students, to succeed when they leave high school by giving them more opportunities during their high school years so they can make better decisions about their choice of career or profession. My congratulations to all of the individuals who have helped make this happen again this year.

#### NORTHERN MEDICAL SCHOOL

**Mr Michael Gravelle (Thunder Bay-Superior North):** My question is for the Minister of Health. Minister, earlier this year there was great excitement all

across the north when you announced a new medical school would be established in northern Ontario. However, that elation quickly turned to dismay in north-western Ontario when it was revealed that the equal, dual-campus model that was the unanimous made-in-the-north solution to our long-term doctor shortage crisis was not in fact the model that was going to be put in place.

Despite encouraging signs over the summer that this equal-campus proposal was being seriously reconsidered by your ministry, we received another shock this past week when the implementation committee for the new school was announced.

Northerners believe that a shared Lakehead-Laurentian Universities campus for this new school is absolutely crucial to bring medical graduates to all parts of northern Ontario. We want to retain hope that this option is still a real possibility.

My question is this: is the door still open for the original proposal that recommended the medical school should be an equally shared, dual campus at Lakehead and Laurentian Universities?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I want to assure the honourable member and this House that there is a model that I embrace of a dual campus, if you want to use that language. I think Lakehead, regardless of the verbiage you want to use or the language that should be employed, is going to be a critical component of the northern medical school, just as other rural areas, other remote areas in the north have to feed into either Lakehead or Laurentian.

The fact of the matter is that there's a significant aboriginal component available and possible and doable, and should be doable in Lakehead, which I think has to be a critical component of any northern medical school. So the fact of the matter is, regardless of the structure and regardless of the incantation that one wants to use—and I'm not suggesting the honourable member is fooling around with words; he's not. He wants the best for Lakehead and I understand that. So all of that is possible and a dual campus is, I think, what you're going to get.

**Mr Gravelle:** Minister, that's not particularly reassuring from the point of view of the terms of reference for the implementation committee. They are clearly designated to move forward with the model that has Laurentian University as the main campus, with Lakehead University serving only as a satellite campus focusing on political studies. These restrictive terms of reference appear to limit the committee's flexibility in altering the model that is now on the table.

Minister, what we need to hear from you is that the option of the dual campus in terms of the original proposal is one that can be brought forward. We need to understand, can it continue to be brought forward to the implementation committee or should it be brought forward to you? We want to know whether or not the door is still open for the original proposal and I would very much appreciate if you could respond directly to that. People in northwestern Ontario are very keen to see that option still in play.



**Hon Mr Clement:** We might be just quibbling over words here. The fact of the matter is that the committee that was set up by Mike Harris, Dan Newman and myself is one that is going to be developing the business plan and the implementation plan for the northern medical school. They are appropriately charged with the responsibility of looking into all of these issues. So whatever representations the honourable member wants to make, I encourage him to make those representations, just as I encourage representatives from Lakehead and so on.

Let me just make it clear, though. I know he didn't mean to do this but he sounded dismissive of clinical education. The fact of the matter is, when you do your clinical education, that's when you drill down roots into the community. You are doing work in the community, you're doing work in the hospital. You perhaps are meeting other people in your community and sometimes you marry them, sometimes you start to have kids with them. That's the kind of activity, quite apart from the clinical activity, that you want to see happening with the medical students. That's really the nub of the issue. If you've got the clinical education going on in the community, that's when you start to retain the physicians in that community. I want to assure the honourable member of that fact.

#### OAK RIDGES MORaine

**Mr John O'Toole (Durham):** My question is to the Minister of Municipal Affairs and Housing. Today, like many days this week, I want to commend you for your hard work, commitment and leadership in the area of, for instance, Bill 56, the brownfields legislation, Bill 111, the new Municipal Act, and today, more importantly, the Oak Ridges Moraine Conservation Act. It clearly shows the work that you've put into this.

I'm surprised as well, reading the press. The early response in the press is—Rick Symmes, the former director of the Federation of Ontario Naturalists, who sat on your advisory council, says this is an excellent achievement. He said the protections are stronger than the 1994 moraine strategy put forward by the government of the day, the NDP. Also, Glen De Baeremaeker was very supportive in his comments in the *Toronto Star*.

Minister, I would ask you to respond. What recommendations from the panel encouraged you to move forward?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I'd like to thank the member for Durham for his question. He, along with our colleagues who have ridings in the 905, has been very supportive of this whole process. I would like to congratulate them for their hard work.

The question was around the advisory panel and that came out of the six-month time-out that was passed by this House, unanimously endorsed by all three parties. This problem has plagued three successive governments—the Liberals in the 1980s and the NDP in the 1990s, as you pointed out. This advisory team was put together from representatives of competing interests on

the moraine: the aggregate industry, the agricultural community, the environmental groups. There were three mainstream, responsible environmental associations that came to the table, along with developers, municipal representatives and others to find a consensus. Their recommendations formed the basis of a document in the summer called *Share Your Vision for the Oak Ridges Moraine*. It went out to public consultation. I'm pleased to say that the vast majority of the recommendations were improved on by public consultation, and that's what we've recommended here today as we come forward with legislation.

**Mr O'Toole:** Thank you very much for that response, Minister. I'm very familiar with the partnership that you formed and how hard you've worked with caucus. I would mention Frank Klees, of course, and Steve Gilchrist, but of course our Premier and cabinet were part of that very important decision and commitment to our environment and to our quality of life. Further, environmental leaders from many areas have spoken with me, and with most of the members, I'm sure, and I'm sure they will come forward and commend you for your hard work.

I do want to be on the record in recognizing my constituents Catherine Gusell, who worked for years with the Save the Oak Ridges Moraine Coalition and the SAGA group, Save the Ganaraska Again, Denis Schmiegelow, as well as Roy Forrester and others. But there's a long way to go and I understand that. I wonder how you can tell we can move forward with the land trust that was mentioned in the report, and will there be other partners in the land trust as we move forward?

1520

**Hon Mr Hodgson:** This is a legacy issue. You will really see the benefits of this announcement and this legislation, if it's passed by the Legislature, in 50 to 100 years. It calls for 100% protection of all the natural features on the moraine. It calls for new and improved water protection, both for the quantity and the quality of the cold water streams and wellhead protection. It calls for a linkage, a corridor from one end of the moraine to the other on an east-west basis, with a trail that's accessible to seniors and people with disabilities, so it's accessible to all.

This is something that forms a legacy, but it also means a quality of life for the people of Ontario. This partnership and the foundation which will oversee this Oak Ridges moraine stewardship for land securement, for monitoring and for educational programs will be a partnership between the Ontario government, with today's announcement of \$15 million in cash and substantial amounts of land to be matched by the federal government, and to be matched and contributed to by the environmental community and municipalities and the private sector. That's how we'll make this work.

#### ORGANIC WASTE

**Mr Michael Prue (Beaches-East York):** My question is to the Minister of the Environment. I hope she

can hear me from up there. Madam Minister, will you shut down the Ashbridges Bay incineration plant and stop the burning of sewage sludge? An \$80-million plant has been built by the citizens of the city of Toronto to pelletize organic waste, for which you gave a certificate of approval. Today it sits idle while our air is being polluted with toxins. Will you shut down that plant?

**Hon Elizabeth Witmer (Minister of the Environment):** We take very seriously any issue related to health and safety of citizens in this province and we always take every step necessary to ensure the protection of these citizens.

**Mr Prue:** The certificate of approval was issued by the province. The biosolids project meets all the requirements, as well as those of the federal Fertilizers Act. What is being marketed in those pellets is exactly what Milwaukee has marketed for 75 years and what is available in the stores in the province, which have been approved for sale, by the province and the federal government, right here in Ontario under the name Milorganite, as well as 12 other products of similar derivation. Why are you delaying approval and continuing to poison the air we breathe and, at the same time, allowing foreign competition on the same product?

**Hon Mrs Witmer:** If the member would check and take a look at what has happened, it is that they were not in compliance with the Fertilizers Act under the jurisdiction of the federal government. Now that they are in compliance, the Ministry of the Environment in this province can give final approval. That's the situation, clear and simple. There seemed to be a tremendous amount of confusion and there wasn't any understanding, it appears, on somebody's part that there was a need to be in compliance with the Fertilizers Act, which is the responsibility of the federal government. Now that they are, we can give our final approval.

#### ONTARIO PROGRESSIVE CONSERVATIVE CAMPUS ASSOCIATION

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is for the Minister of Training, Colleges and Universities. Earlier this afternoon, we proclaimed Wife Assault Prevention month, a series of re-announcements of funding that you had taken away earlier and now gave back. The women in the shelters are happy that money is back.

However, I have a question for you: how can front-line workers in shelters have confidence in this government's leadership capabilities when the Ontario Provincial Conservative Campus Association releases a top 10 list of the worst university courses in Ontario and half the courses on that list tend to do with gender issues?

This list clearly illustrates that the tiny Tories are intolerant toward a dialogue dealing with women's issues. In the words of Premier Harris, "The OPCCA has been active for many years. It has a track record of

producing people who have gone on to become major players in our party and our province."

I sent an open letter to the minister last week dealing with this. If the members of the OPCCA are the future Tory leaders of Ontario, judging by the contents of this list, are issues dealing with women's issues a waste of money? And what are you going to do with these young Tories who continue this bias against women, starting last year with the Montreal massacre insults and this year with gender issues courses?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** I don't believe the member's opening statement about us just getting our levels back is a fair one. As a matter of fact, we've gone far beyond the \$100 million that was being spent when we first came into government. I wanted to make that clear first of all.

With regard to ourselves as a government, we do not interfere in any way with academic decisions made at our universities with regard to the programs offered.

With regard to young people, who are often presenting us with ideas, whether they're serious or otherwise, we're not consulted, nor do we get involved. But I absolutely do believe that young people have a right to make their statements. We don't have to agree with them, but I will say that we encourage their input. For as many lists as that, there were very many more young people at that convention talking to us about positive responses to needs in education, health and social services.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I'm seeking unanimous consent for members to wear these T-shirts which read, "Not Enough Nurses: Your Tax Cuts At Work."

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

**Ms Marilyn Churley (Toronto-Danforth):** On a point of order, Mr Speaker: I'm seeking unanimous consent to affix to our desks these stickers which read, "Not Enough Nurses: Your Tax Cuts At Work." Do I have permission?

**The Speaker:** Unanimous consent? I'm afraid I heard a no.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: I'm seeking unanimous consent to put on these buttons that say, "Not Enough Nurses: Your Tax Cuts At Work."

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent to give the NDP a chance to ask a question about nurses since they didn't see fit to do that with their other questions today.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

The government House leader, for the order for next week.

**Hon Janet Ecker (Minister of Education, Government House Leader):** We appreciate the thought of the Liberal Party, Mr Speaker.



## BUSINESS OF THE HOUSE

**Hon Janet Ecker (Minister of Education, Government House Leader):** Pursuant to standing order 55, I have a statement of business of the House for next week.

Monday afternoon will be a Liberal opposition day; Monday evening, third reading debate on Bill 109.

Tuesday afternoon we'll continue the debate on Bill 111. Tuesday evening's business will be determined.

Wednesday afternoon we'll continue debate on Bill 30. Wednesday evening's business will be determined.

Thursday morning, during private members' business, we will discuss ballot item number 31, standing in the name of Mr Spina, and ballot item number 32, standing in the name of Mr Johnson; and Thursday afternoon's business will be determined.

## PETITIONS

## LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** The petitions keep rolling in, with hundreds of names from all over southwestern Ontario.

"To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children of southwestern Ontario, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I'm in full agreement and will affix my signature hereto.

## HOME CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition that was sent to me by constituents from Nickel Belt. It reads as follows:

"Whereas the Manitoulin-Sudbury Community Care Access Centre delivers vital home care services to local

seniors, the disabled and those discharged from hospital so they can remain in their own homes; and

"Whereas the Manitoulin-Sudbury Community Care Access Centre needs an additional \$1.8 million from the Ministry of Health this fiscal year just to deliver its current level of health care services; and

"Whereas the Ministry of Health has refused to fund this necessary increase and has further failed to provide the CCAC with equity funding last year and this year, despite a 1998 promise made by the former minister responsible for seniors, Cam Jackson, to do so; and

"Whereas this deliberate underfunding by the government of the Manitoulin-Sudbury CCAC has forced the CCAC board to adopt a deficit reduction plan which severely reduces the home care services it provides; and

"Whereas this reduction has a drastic impact on clients who cannot afford to pay for these services and will be forced to go without necessary health care or be forced into long-term-care institutions;

"Therefore, be it resolved that the Conservative government immediately fund the additional \$1.8 million requested by the Manitoulin-Sudbury CCAC this year, and further, provide the equity funding which was promised in 1998."

I agree with the petitioners, and I affix my signature to this petition.

1530

## SENIORS' HOUSING

**Mr Carl DeFaria (Mississauga East):** I am pleased to present a petition signed by approximately 2,000 people from Mississauga and other parts of Ontario. On behalf of the seniors from my riding of Mississauga East, I want to thank Elsie Rossi for her work on behalf of seniors.

The petition reads as follows:

"Whereas there is currently a shortage of affordable housing for seniors; and

"Whereas the waiting lists for subsidized seniors housing surpasses a period of eight years; and

"Whereas the Tenant Protection Act does not prevent rent increases upon moving; and

"Whereas seniors find themselves committing over 80% of their income to rent alone;

"We, the undersigned, hereby respectfully petition the Legislature of Ontario as follows: that the government of Ontario will:

"Subsidize current homeowners to remodel their homes and bring possible rental units up to current regulatory standards through low-interest or no-interest loans and funding;

"Provide subsidized housing for seniors in their current residences until more housing is made available."

I am pleased to affix my signature to this petition.

## CRUELTY TO ANIMALS

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I have a petition to the Legislative Assembly of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities and also strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I am pleased to sign this petition.

## OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I have further petitions from the Canadian Auto Workers, a union that continues to put the issue of cancer in the workplace on the front burner. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens; and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer; and

"That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

On behalf of my NDP colleagues and myself, I add my name to this petition.

## DOCTOR SHORTAGE

**Mr John O'Toole (Durham):** I am pleased to submit a petition on behalf of my constituents in Durham.

"Whereas the provincial Durham riding, including Clarington, Scugog township and portions of north and east Oshawa comprise one of the fastest-growing communities in Canada; and

"Whereas the residents of Durham riding are experiencing difficulty locating family physicians who are willing to accept new patients; and

"Whereas the good health of Durham riding residents depends on a long-term relationship with a family physician who can provide ongoing care; and

"Whereas the lack of family physicians puts unnecessary demands on walk-in clinics and emergency departments;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that the government of Ontario will:

"Do everything within its power to immediately assess the needs of Durham riding and the Durham region and work with the Ontario Medical Association, the College of Physicians and Surgeons of Ontario, local health care providers and elected officials to ensure there are enough family physicians available to service this community;

"Make every effort to recruit doctors to set up practices in underserved areas and provide sustainable incentives that will encourage them to stay in these communities;

"Continue its efforts to increase the number of physicians being trained in Ontario medical schools and also continue its program to enable foreign-trained doctors to qualify in Ontario."

I'm pleased to sign this in support of my constituents.

## AIR QUALITY

**Mr James J. Bradley (St Catharines):** This petition is to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the Harris government's wholly owned Nanticoke generating station is North America's largest dirty coal-fired electricity producing plant and Ontario's largest producer of the chemicals and acid gases which contribute to deadly smog and acid rain; and

"Whereas the Nanticoke plant, which has more than doubled its dangerous emissions under the Harris government, is now the worst air polluter in all of Canada spewing out over five million kilograms of toxic chemicals each year; including many cancer-causing chemicals and mercury, a potent and dangerous neurotoxin; and



"Whereas the Ontario Medical Association has stated that 1,900 Ontarians die prematurely each year and we pay \$1 billion annually in health-related costs as a result of air pollution; and

"Whereas the Harris government has the opportunity to make a positive move on behalf of the environment by proceeding with the Sir Adam Beck 3 generating facility, which would produce air-pollution-free electricity in this province and would provide an alternative to the constantly increasing demands placed upon the Nanticoke coal facility; and

"Whereas the Beck 3 generating facility would also provide a major boost to the economy of Ontario through investment and employment in the construction and operation of the facility and, in addition, would offer additional energy for the power grid of the province of Ontario;

"Therefore, be it resolved that the Mike Harris government, as chief shareholder of Ontario Power Generation, order the immediate development and construction of the Sir Adam Beck 3 generating station."

I affix my signature. I'm in complete agreement.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly. It reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, transcutaneous nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I agree with the petitioners, and I affix my name to the petition.

#### CRUELTY TO ANIMALS

**Mr Carl DeFaria (Mississauga East):** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate 'puppy mills' should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment that they have inflicted on puppies under their so-called care;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I am pleased to affix my signature to this petition.

1540

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** "To the Legislative Assembly of Ontario:

"Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of \$175 million due to a funding rollback by the provincial government; and

"Whereas due to this funding rollback, community care access centres have cut back on home care services affecting many sick and elderly in Ontario; and

"Whereas these cuts in services are forcing Ontarians into more expensive long-term-care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately lift the funding freeze for home care services so as to ensure that community care access centres can provided the services that Ontario's working families need and deserve."

I will affix my signature to this petition because I agree wholeheartedly with it.

#### HIGHWAY 407

**Mr John O'Toole (Durham):** On behalf of my constituents and, more specifically, the membership at the Kedron Dells Golf Course, a public course:

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into Durham region and the proposed routing, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd in Oshawa,

"Whereas such routing will destroy completely five holes and severely impact two additional holes, effectively destroying the golf course as a viable and vibrant public golf course,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"To change this routing to one of the other identified alternate routes, thus preserving this highly regarded, public facility patronized annually by thousands of residents of not just Durham region but all of the GTA."

I'm pleased to sign this in support of my constituents.

### CRUELTY TO ANIMALS

**Mr James J. Bradley (St Catharines):** I have a petition which is solely within the jurisdiction of the provincial government.

"To the provincial Legislature of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting customers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities and that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I affix my signature. I'm in complete agreement with the sentiments expressed in this petition.

### ORDERS OF THE DAY

#### REMEDIES FOR ORGANIZED CRIME AND OTHER UNLAWFUL ACTIVITIES ACT, 2001

#### LOI DE 2001 SUR LES RECOURS POUR CRIME ORGANISÉ ET AUTRES ACTIVITÉS ILLÉGALES

Mr Tilson, on behalf of Mr Young, moved third reading of the following bill:

Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities / Projet de loi 30, Loi prévoyant des recours civils pour crime organisé et autres activités illégales.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I would like to make some comments with respect to this bill, specifically in my capacity as parliamentary assistant to the Attorney General.

This topic has been with us for some time. Mr Flaherty, when he was Attorney General, did a substantial amount of research on this bill, and it was originally introduced by him. I think the number of the bill at that time was 155. He did a great deal of groundwork with respect to this bill when he was the Attorney General of the province.

The purpose of the bill is to protect Ontario's communities, to protect the people of Ontario and, more importantly, to assist victims. The threat of unlawful activity to the security of residents in this province can take many forms. I believe, as has been expressed many times, that this bill, if passed, would do just that.

We have now gone through second reading. It has been before the justice committee and we have gone through clause-by-clause. So now here we are with respect to third reading.

The bill, if passed, would allow the province to do a number of things. It would ask the court to freeze, seize and forfeit to the crown the proceeds of unlawful activity, as well as assets that could be used as instruments or tools in the commission of future unlawful activity.

Second, it could take to court two or more people who conspire to engage in activities that harm the public—

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I would like to know whether there is a quorum.

**The Acting Speaker (Mr Ernie Hardeman):** Is there a quorum present?

**Clerk at the Table (Mr Todd Decker):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the member for Dufferin-Peel-Wellington-Grey.

**Mr Tilson:** I was just outlining to the House what this bill, if passed, will allow the province to do. The second position is that it could take to court two or more people who conspire to engage in activities that harm the public.

Finally, it would enable victims of unlawful activities that lead to forfeiture to claim compensation against those forfeited proceeds.

This legislation, if passed, would focus on the property—the proceeds and the assets—not the individuals.

This legislation would enable civil actions which would be entirely different from criminal prosecutions. That, of course, is an issue that has been raised throughout the hearings, asking whether we are going into criminal prosecutions. We are not. This is dealing strictly with civil procedures for recovering property under civil actions.

Notwithstanding what the province would be doing with this legislation, the government of Ontario would continue to vigorously investigate and prosecute organ-



ized crime figures in criminal court. We would continue to do that notwithstanding what we would be doing under this bill.

In the budget, our government committed \$6 million annually for police and dedicated crown attorneys to enhance the comprehensive, multi-pronged approach to combat organized crime. When charges are laid, dedicated crown attorneys would prosecute the cases.

With the civil legislation under debate today, our government recognizes that Ontario would be breaking new ground in Canada if this were passed. Notwithstanding that, this is not the first legislation of its kind as far as the world is concerned. Similar measures have been introduced in a number of countries, including the United States, Australia, Ireland and South Africa. In each of these countries, the authorities have successfully used the civil law to seize the proceeds of unlawful activities and to hit the corrupt organizations behind these activities where it really hurts, which is in the wallet. In our discussions with other jurisdictions, it has had without question an effect on organized crime in other countries.

1550

This legislation on which we are in third reading today would achieve the same objectives. We believe that Ontario would improve on the legislation of these other countries with the innovative proposal to compensate victims.

We have balanced those objectives with protection of individual rights and privacy. No action could be taken without authorization from a court. The Attorney General, the police—no one could take any action against anyone without approval from the court. Each step, from the initial freezing, the seizing of the assets, to forfeiture would require the province to successfully argue its case before a judge.

The basic standard of proof for civil forfeitures would be the balance of probabilities. I expect my friends in the New Democratic caucus will contest that, but that is a position that is standard and has always been used in civil cases, the balance-of-probabilities test. As long as there has been common law, property disputes have been adjudicated with the balance-of-probabilities standard. This legislation would be resting on the same legal foundation that has always existed in these types of cases in Ontario.

As another safeguard, the burden of proof would rest on the province with respect to the seizure or the freezing of the various items I have referred to in these civil proceedings. It would rest on the province and not on the defendant. There would be no reverse onus clause. The province would have to prove its case.

The court would also protect the interests of people who legitimately owned property or a share of property that has an unlawful origin. This provision could protect people who may not have known about the origins of the property or couldn't reasonably have suspected that the property was the proceeds of unlawful activity. They would not lose the value of their investment.

One of the issues that was raised at different times in these proceedings was the topic of privacy, a question that has been raised by all sides. I believe the Attorney General has dealt with that issue and has confirmed that personal information would be protected. He has worked with the Information and Privacy Commissioner, Dr Ann Cavoukian, to develop legislation that would strike the proper balance between the interests of the province and the protection of personal property. The privacy commissioner wrote a letter to the Deputy Attorney General in which she said, "I am satisfied that these concerns have now been addressed." So if this bill is passed, the mutual objectives would be met. Investigators would have access to the information that they need, and the privacy of individuals would be protected.

This bill would establish an independent gatekeeper or a reviewing authority that would screen all personal information. There would also be specific criteria governing the disclosure of information. If the personal information meets the criteria, the gatekeeper would pass it on to the Attorney General.

Personal health information such as medical files would be disclosed only through court proceedings. The province of Ontario would have to prove in court that the health information was necessary and relevant to the case.

Civil asset forfeiture legislation has been used successfully in a number of other countries, so once again this is not a new initiative; it has been used successfully in other jurisdictions. We have heard about these successes throughout the hearings which took place after second reading on Bill 155, the predecessor of Bill 30. We heard about these successes from experts who spoke not only in those proceedings, but at the Ontario government's organized crime summit in August of last year. They were frank about what works and what doesn't work. As I said, the committee hearings during the last session of the Legislature also heard from several witnesses with expertise in this area. They talked about the prevalence of organized crime and the role of civil forfeiture in countering these unlawful activities.

It's clear to our government that no one jurisdiction has the perfect solution for Ontario, because each jurisdiction has its own unique problems arising from unlawful activities, as well as its own constitutional and legal environment. That said, it's also clear that civil asset forfeiture has an important role to play.

Several countries have passed civil forfeiture legislation. Civil asset forfeiture could play a similar role in Ontario. It would help prevent the proceeds of unlawful activity being used to fund more unlawful activity and creating more victims. In other words, it would help restrict the financial capital that's available for organized crime. It would also help prevent Ontario from becoming a safe haven for unlawful assets. Most importantly, this bill would compensate direct victims of unlawful activity.

The province of Ontario has jurisdiction over property rights and clearly has the constitutional power to enact

civil forfeiture legislation. By passing Bill 30, Ontario would be a leader in this country in protecting the public from further victimization. We would also be leaders in disrupting and disabling corrupt organizations in Canada and in helping victims.

Those are the few brief comments that I'd like to make with respect to this bill. Presentations have been made through Bill 155, with Bill 30, and in the various public hearings that the justice committee has conducted to deal with those bills. So I would urge all members of the House to support this legislation.

**The Acting Speaker:** Questions and comments? The member from Welland-Thorold.

**Mr Kormos:** I'm pleased to pose both questions and comments to the brief introduction by the parliamentary assistant on this occasion of third reading of this recycled bill.

The parliamentary assistant acknowledges that there are fundamentally two arguments in the approach to this bill. The government and the parliamentary assistant adopt one; the New Democrats adopt another. We are committed to our position and we look forward to hearing the Liberal position. I think I know what it's going to be, but it will be seven or eight more minutes before we hear it declared clearly.

I'm hoping that the Liberal members will join the New Democrats in standing up for the right of Ontarians, when they are put at risk of having property forfeited, to be judged on the criminal standard when the reason or the rationale for that property forfeiture is criminal activity, criminal behaviour.

Our fundamental concern about this bill: We agree that any exercise, like the Criminal Code exercise, that enables the authorities, the crown, to pursue the forfeiture of properties, the proceeds of organized crime and otherwise, are legitimate goals and we support them. We support that exercise. We support that activity. It's rational, it's logical and it's just. But this bill puts at risk any number of perfectly innocent people where, because of its adoption of that low standard of balance of probabilities, innocent people could well be overwhelmed by the power of the state.

1600

**The Acting Speaker:** I apologize for the wrong name. The member was from Niagara Centre. Further comments?

**Mr Michael Bryant (St Paul's):** I listened closely to the speech of the parliamentary assistant to the Attorney General. These are words and arguments we've heard in this House many times before. The history of this bill is not unlike many bills that have come before this House. The fear is that they are paper tigers at times, and in the case of this bill, I sincerely hope not. I sincerely hope this bill actually passes because the government has been talking about passing this bill for a very long time.

At least we're on third reading right now. We never got to third reading with Bill 155. At least it has not died on the order paper like Bill 155. At least it looks like we're now on the home stretch in getting these new tools

for law enforcement officers and crown prosecutors. I hope we complete third reading, as I know we will, and that it'll actually become the law of Ontario.

The fact we are still talking about it causes me some concern and I'll speak to that when I have an opportunity to speak, but as ever, I enjoyed hearing an outline of the government's position from the very able parliamentary assistant to the Attorney General and I look forward to engaging in debate when the time comes for the official opposition to speak.

**Mr Garfield Dunlop (Simcoe North):** Thank you very much for the opportunity to make comments on this bill on third reading. I appreciated listening to my colleague from—I call it Orangeville because I know it covers that whole area.

I thought he made some important points on the value of this bill. When we talk about value we often have to talk about what it really costs Canadians. One federal study estimated that organized economic crime costs Canadians between \$5 billion and \$9 billion a year. That's just phenomenal when you think of it: \$5 billion to \$9 billion per year in lost revenues to Canadians is a third of what it costs us to run our health system here in Ontario for a year, and we all know it's been climbing at an enormous rate. I think anything we can do to improve this, to take away some of these crimes that are committed against Canadians, is good legislation.

There are often negative comments from the members opposite and I enjoy listening to their comments. I'm sure there will be some interesting comments for the rest of the afternoon. But I support this legislation and I appreciate the comments made by the parliamentary assistant for the Ministry of the Attorney General. I know they've worked hard on this legislation. I think it's another important step we've taken toward improving the life of Ontario residents.

**Mr Michael Prue (Beaches-East York):** I place some great value on this bill and I think every Ontarian, every Canadian, every person, would support that no one profit from organized crime. Of course we have organized crime in this country. We cannot be naive and think that it is not here. It exists in many forms, everything from biker gangs to international criminals to people who have imported organized criminal activity when they have come here to Canada.

The question I have, and what I'm going to be very interested in hearing about when my colleague Peter Kormos stands up to talk, is how you take away the rights of people. Organized criminals, of course, should have no rights, but we always have to be careful with whom we're dealing because we do not know for a fact that anyone is an organized criminal until they are convicted in a court of law. We do not know that until they have had due process, and the due process that finds them criminally guilty is a tough process. It has to be beyond a reasonable doubt. That is the process by which one is found to be an organized criminal and is convicted.

I think the due process to seize their property, their chattels, their assets, has to be one of similar rigour. I



know Peter Kormos will be talking about that and I'm looking forward to seeing it, because above all else in this society, one thing that marks us as such a special place here in Canada is that we are a country of laws and of people who obey those laws and who recognize the civil liberties of all persons until those persons are found guilty in a court of competent jurisdiction. I would not want to take away anything from any Canadian until I was satisfied that those criminal tests had been met. I'm looking forward to hearing what my colleague has to say about that.

**The Acting Speaker:** The member for Dufferin-Peel-Wellington-Grey has two minutes to respond.

**Mr Tilson:** Nothing is new, of course, from the opposition side. The Liberal caucus has indicated that they will probably be supporting this legislation. They put forward some amendments during the committee hearings. I'm sure my friend will be talking more about that.

I think we all agree that we want to do whatever we can to slow this organization process down. We read the papers. Our friend from Beaches-East York has spoken. You open up the papers every day and there are stories of organized crime, biker gangs and different nationality gangs, just bad things that go on. We should be doing whatever we can within provincial jurisdiction to stop that.

The New Democratic caucus, under the leadership of the member from Niagara Centre, has been quite clear. Even he, I think, supports those types of principles, but he has continually expressed that he's opposed to the different tests the government wants to use with respect to seizing these assets.

Just to comment to the member from Beaches-East York with respect to due process, I only reiterate that each step we take, whether it's seizing assets, freezing assets or doing any of the things set forth in the legislation, must be approved by a court of law. Each step must be taken. The position of the New Democratic caucus appears to be more specific, and that has to do with the test of "beyond a reasonable doubt" versus the balance of probabilities. I can only repeat what I have said in this House and what I have said in the committee, that the test of "beyond a reasonable doubt" as to whether one should seize assets is used in criminal proceedings. These are civil proceedings. We only have jurisdiction in this province to deal with civil proceedings, and that's the test we're using, the balance-of-probabilities test.

1610

**The Acting Speaker:** Further debate?

**Mr Bryant:** I'm pleased to rise today to speak on behalf of the official opposition with respect to Bill 30. The government seems to have expressed some consternation that the official opposition has not been cheer-leading this bill from the moment it was introduced. This Bill 30, in fact, has had a somewhat interesting history—not a fascinating history, but a somewhat interesting history. We might as well start with the political announcements from the government itself.

Back in—I want to make sure I get my dates right—1996, the Solicitor General at the time, the Honourable Mr Runciman, made an announcement about proceeds-of-crime legislation. This was said to be fulfilling a 1995 election commitment, but of course, between 1995 and 1999, no proceeds-of-crime bill passed in this Legislature. It was a promise, a reannouncement, but then no results. In 1999, the promise showed up again in the Blueprint document, which was the Progressive Conservative election platform, and again promises were made for proceeds-of-crime legislation.

In May 2000 in a Toronto newspaper, the Honourable Mr Flaherty, then the Attorney General, announced that proceeds-of-crime legislation was actually going to be introduced, finally. Then of course Bill 155 came along soon after that. This was after Attorney General Flaherty had attended four summits on organized crime: one in Vancouver, then he flew east to New Jersey, then over to Delaware for another conference, and there was another organized crime conference he went to in Washington, DC. Remember, these announcements and summits all took place five years after the party had promised in 1995 that proceeds-of-crime legislation was going to come forward. So this is a serious public relations exercise by the government.

It was interesting when the parliamentary assistant to the Attorney General said, "We're going to do everything we can to slow this process down." I know he was referring to organized crime, but it could have been a Freudian slip: "We want to do anything we can to try and string this announcement along." I understand the government's going to say, "Why are you playing politics?" The truth is that a promise was made in 1995 and it has still not been kept here in November 2001. It looks like the bill is going to pass, but of course we haven't had a vote on third reading, so it's premature to say that. It looks like we're actually going to get a vote on third reading, and in turn, there is going to be proceeds-of-crime legislation in the province of Ontario.

It will be interesting to see, and I want to speak to this in a moment, to what extent the events of September 11 have changed the government's approach to using Bill 30. On the one hand, organized crime and its link to terrorism increases the importance of using these tools; on the other hand, using the resources we have and devoting them to fighting terrorism may mean taking crime-fighting efforts away from the exercise of Bill 30. I'll be interested to hear what the government has to say in debate about that. I'm concerned that the government has not put its mind to that. In any event, we'll hear from the government perhaps later on.

So the public relations machine works on, the announcements and reannouncements move forward, Bill 155 goes to second reading debate in this House and then, lo and behold, the House prorogues and Bill 155 dies on the order paper.

Of course Bill 30 is introduced, permitting yet another flurry of announcements and reannouncements. But I have to tell the House it ended up being a bill that was

different from Bill 155. It had some very important differences. I have already given credit in committee to Attorney General Young for making changes to Bill 155, responding to serious concerns about the incursions upon Ontarians' privacy that were found in Bill 155. In committee I also—and want to do so here again—gave credit to the people who, frankly, blew wind into the sails of the government to make those changes. It was as a result of persistent questioning by Dalton McGuinty and Lyn McLeod that led to, among other things, a meeting between Ministry of the Attorney General officials and opposition and third-party officials to hash out what I've referred to as the J. Edgar Hoover clauses in Bill 155. And changes were made. As a result of those changes, and as a result of the removal of the J. Edgar Hoover clauses, and as a result of the protection of those privacy interests, the official opposition could say, yes, we have forced changes to this bill; and while, yes, we still have concerns and we share the concerns that I know will be expressed by the third party with respect to civil liberties, as opposition parties have to do sometimes, we have to weigh the importance of the objectives here; we have to weigh the extent to which we are concerned about the incursions upon privacy with the job of the official opposition, which is not to cheerlead government bills but in fact to be critical of government bills. If at the end of the day support can be provided, it's done so that we can say we've made changes and it's a better bill because of the efforts that we made.

The Attorney General made the changes to the bill, so the government has got to accept that that which was the subject of great concern by Dalton McGuinty and Lyn McLeod and the Ontario Liberal caucus has been responded to and acknowledged by the government of the day. I know they don't like to admit that there were J. Edgar Hoover clauses in there, and they're not going to stand up and say so, but they made the changes nonetheless.

What am I talking about? On December 12, Dalton McGuinty asked Attorney General Flaherty about the J. Edgar Hoover clause in Bill 155. This was a clause that would permit the Attorney General to collect personal health information without appropriate checks and balances. Keep in mind that Bill 155 had a companion J. Edgar Hoover clause in the health privacy bill, which also died on the order paper. The history of that bill, what happened with that health privacy bill and what happened with Bill 155 and the interaction between Attorney General Flaherty and the health minister at the time, the Honourable Elizabeth Witmer, I think is going to be a fascinating one for Ontario politics as we head into leadership races. Here were circumstances where Minister Witmer had introduced a bill which included a J. Edgar Hoover clause and, in essence, said she didn't know it was there. She couldn't explain how that got into her bill. Of course, it was something that was put in there by Minister Flaherty. It was perfectly clear from the clause that it came from the Ministry of the Attorney General.

It will be interesting to see to what extent those ministers, Minister Witmer and Minister Flaherty, will be able to explain that as time goes on. There was a clash there and it was one in which one minister was inserting a particular brand of Conservatism into another minister's bill, somehow unbeknownst to her. Of course, it had to be fixed, it had to be changed. Minister Witmer had to remove that J. Edgar Hoover clause from her bill. Minister Flaherty had that clause removed by his successor, Mr Young.

At the time this debate was taking place, in December 2000, the Attorney General scoffed at the opposition. We were told, "Don't be silly. There's no problem with privacy. You just can't read the bill." This is the kind of arrogance that I think Ontarians have had enough of. This is what the Attorney General said on the 12th, after being asked by Dalton McGuinty about the J. Edgar Hoover clause in the organized crime bill: "By virtue of those sections"—he makes reference to the bill—"personal health information is excluded from section 19 of Bill 155. So that personal health information is not available to the Attorney General or any other minister, pursuant to section 19 of Bill 155." And we're supposed to just swallow that and accept it because it was the word of the Attorney General.

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It's interesting. At the time, Attorney General Flaherty was providing his view on Bill 155, on this concern about privacy interests. He was saying, "Look, I'm the Attorney General. You're going to have to take my word for it." To be fair, maybe that was not his intention. But that's how it came across. He said, eventually, "Come for a briefing and we'll explain it to you." It was patronizing—it was. And it ended up being something which I know he must have regretted, obviously, because they had to change the bill.

But the problem here is the Attorney General saying, "I'm the chief legal officer to the executive council, so you're going to have to take my word for it." That's not the way our parliamentary system works. That's not the way the separation of powers works in Ontario, or nationally, otherwise. The Attorney General does speak for the executive council in terms of its legal position, but he is not infallible. The Attorney General is the most frequent litigant in our Ontario courts.

**Mr Kormos:** What's his track record?

**Mr Bryant:** Well, he wins some and he loses some.

**Mr Kormos:** You're being very generous.

**Mr Bryant:** It's because of the great crown counsel that they're able to win the ones they do.

**Mr Kormos:** The ones that he lets the crown counsel do.

**Mr Bryant:** When the Attorney General lets the crown counsel do their job, lets the best constitutional and criminal lawyers make the arguments, then the crown has got surely the best counsel before the courts. But they win some and they lose some. There's dialogue between the courts and Legislatures. Sometimes the Attorney General pushes the envelope, as it were, and the judiciary



responds. It is my view that we aren't here to play judge. And it is not the job of the Attorney General to play judge, but nor should he purport to be able to play the role of judge and say, "Here is the law of Ontario."

This happened another time. I remember the same Attorney General at the time in which this tragedy continues whereby the squeeze bill in fact is inhibiting charities all across Ontario from engaging in traditional fundraising activities because their activities end up running afoul of the overbroad squeeze law. The government was told at the time, "Look, unless you make a specific exemption or otherwise deal with the overbreadth of this law, you are going to end up capturing charities." And I remember very well what the answer was. I remember the heckles, "Oh, come on. The crown counsel will exercise discretion." Well, nobody doubted that the crown counsel would exercise discretion, although surely the rule of law must prevail always and nobody can be exempt from the law.

Our concern was, and of course it turned out to be the case, that municipal councils would not give out permits to charities or other groups seeking access to the streets of their town or city with the boot; you know, the firemen passing the boot? They couldn't get the permit. Why? Because, quite rightly, the municipal lawyers or otherwise, a legal opinion or otherwise, the democratic opinion of the council, was expressed, and that was, "This is against the law; you can't solicit under any circumstances." Hence the absurdity of that bill, the squeeze bill.

I remember at the time there was a meeting with members of charities, and I'm pretty sure it involved multiple sclerosis and muscular dystrophy charities. The minister said, "Don't worry. I'll write a letter." So he gave his legal opinion and I guess sent it around to the municipalities. Well, again, the Attorney General is not a judge; the Attorney General expresses the legal opinion of the government of Ontario and, as I said, he's not infallible. The crown wins some and they lose some.

In the most famous loss—it's the way I guess it's sometimes referred to in litigation terms; I don't know if that's right or not—the Attorney General intervened on a challenge to the federal gun control legislation, and in fact his position was rejected by the Supreme Court of Canada. That was the position of the Attorney General of the day. The position was that the federal gun control laws were *ultra vires*, and the Supreme Court of Canada said, "No, you're wrong." My point here is that the Attorney General is not infallible. His or her opinion that something is lawful or unlawful is hardly the final word. Yet when it came to determining the validity of the J. Edgar Hoover clause in the organized crime bill and the health privacy bill as well, he was presenting it to this House as if it were the final word, and it was not. We know it was not because the government had to take a different direction. The government had to change its mind. The government had to say, "OK, you're right. There are problems with these provisions. We're going to have to take them out."

The official opposition leader, Dalton McGuinty, kept at it in question period on this day, December 12, 2000. He said to the Attorney General, "Here's my reading of the bill, and it's pretty clear there are no such protections." It's an interesting exchange, given what ended up happening. To which the Attorney General said, "The accusations and the interpretation made by the member opposite are inaccurate." Of course, his assessment turned out to be inaccurate. It was overturned by his successor, but perhaps it would not have been, and I would argue that it would not have been overturned, but for the vigilance of Dalton McGuinty.

Also, I should give credit to Lyn McLeod, who asked the health minister, Minister Witmer, on December 13, the next day, "What protections are you prepared to put into your bill to make sure that the Attorney General has no legal right to get private health records on suspicion alone?" That's the kind of question Ontarians want to have answered. They don't want their health records getting into the hands of government based on some suspicion, with no checks and balances, with no gatekeeper, with no supervision by the courts.

I remember Minister Witmer's full outrage. She stood up and said, "This is unbelievable, and I'm going to refer it to the Attorney General to answer." The gist of it was, "Didn't you hear from the Attorney General? He's the Attorney General. We have to take his word for it." Again I say, no, we don't, especially in this case. It proves the point. The Attorney General turned out to be wrong.

The Attorney General said he had told the official opposition three times that there was no problem with the bill, and he invited Dalton McGuinty and Lyn McLeod for a briefing, as if that would solve it. Of course, government briefings are welcome always, as rare as they may be.

Subsequent to that, on February 20, 2001, Attorney General Young announced in the justice committee—I think it was the first time he had spoken to the justice committee as the new Attorney General—that the privacy protections would be put in place. A gatekeeper would be provided to make sure that ministry officials could not get information that they otherwise might get under these new powers under the bill. Furthermore, when it came to getting health information, the Ministry of the Attorney General could not do so without a court order. So you would have a judge supervising that.

I have to tell you, I have never stood up in this House, and I never will stand up in this House, and suggest that judicial supervision is necessarily inadequate. Not in every circumstance will the laws be written in a way that the judges will have the tools to get to the bottom of it and provide the protections to privacy and other civil rights that Ontarians own; not always will they be there, and I'll be the first to raise them. But as long as we have that gatekeeper in this case and as long as we have a judge supervising the exchange of information, then those protections are satisfactory. Are they ideal? Is anybody comfortable with ministry officials getting private

information? Of course not. That's why we have checks and balances and due process.

Liberals are concerned that this bill will give rise to unjustified incursions on civil liberties. But most bills introduced by the Ministry of the Attorney General impact civil liberties one way or another. Certainly that's also the case with the other justice minister, the Solicitor General. Most bills are going to have some impact. So many bills that we deal with in this Legislature are going to have some impact on the rights and responsibilities of Ontarians, and we cannot cower, simply because civil liberties are so important.

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In this case, after a close look at the bill, we are satisfied that the protection is in place. Hard-fought protections, I might add, are in fact going to be satisfactory. But it will now go to the courts and the dialogue will occur. The courts will say whether or not the bill is in fact consistent with the charter and consistent also with the Constitution Act, 1867, because besides the concern with respect to the charter, the Advocates' Society came and provided excellent advice on February 20 during committee hearings on Bill 155 and expressed concern that in fact here was the province legislating in full force in an area in which the federal government had already legislated. There's no doubt that they've occupied the same field as the federal government has occupied, either before, with the Criminal Code asset seizure provisions, or this new omnibus antiterrorism bill. There's no doubt that they've occupied the field, but simply because they're both in the safe field does not necessarily mean that in fact it's going to be held to be unconstitutional. They have to be incompatible or at least there has to be some significant or direct conflict.

So the official opposition supports Bill 30. Why? First, our chief concerns with respect to the privacy interests at stake have been addressed and the J. Edgar Hoover clauses have been removed. But, secondly, every day, it seems, certainly every week, we read in the newspaper about the effect of organized crime on Ontario. I don't think anybody in this House doubts what organized crime is doing to this province and this country. Statistics were revealed today—I don't have the article in front of me—indicating the millions of dollars lost every year to this province, \$1 billion lost to organized crime; economic losses, \$1 billion lost to organized in the province of Ontario since 1995.

I understand that the government cites this as support for their bill, but I have to say that this bill was not unknown to them in 1995. They promised to bring it in in 1995. I wonder, had they kept that promise and vigilantly passed proceeds of crime legislation in 1995 or soon after, how many millions of dollars might have been saved to the Ontario economy and not gone into the hands of organized crime.

Local break-and-enters, at least I can tell you in the riding of St Paul's, a car theft, a bicycle theft: there's a pretty good chance that that crime has some connection to organized crime in one way or another, particularly if

the break-in involves someone who comes in and takes nothing but electronics, for example. That's going off somewhere down the chain, and it's going to be resold somewhere somehow. I guarantee where it's resold, they won't be paying PST or GST.

If we think that organized crime is something out of the movie theatre or out of *The Sopranos* series, we need to understand that local crime, local break-and-enters and an enormous amount of fraudulent activity—seniors who get phone calls via telephone fraud. Of course, it's the fraudulent activity that costs the most to investigate, enforce and prosecute, because it is so complicated. Organized crime has extremely well-funded defence mechanisms to avoid laws as they now stand, and the resources they pour into their criminal defence efforts obviously have to be countered with comparable resources from the government of Ontario to try and crack down on organized crime, particularly in the area of fraud.

As we heard from one of the deputants to the justice committee on the 21st, Roddy Allan from Kroll Lindquist Avey said that in essence you need an army of friends like accountants to fight organized crime, to break through the frauds, because they're so complicated. With the current caseload for most crown counsel, many of them are just unable to devote the time they need to devote to those fraud cases.

If we didn't already know it, now we do: a terrorist's best friend surely is a mobster. In the post-September 11 world, all those reports from the Senate committee on security and intelligence, from CSIS, and all those counterterrorist experts who have been telling all of us for years that there are terrorist activities taking place in this country, all those voices are now much louder and are quite rightly being heard.

The link between organized crime and terrorism is well established and irrefutable, and Canadians—at least foreign affairs officials—have known this for years. Terrorism is of course necessarily an international crime, and so is organized crime. Hence Canada has supported a number of UN General Assembly resolutions that have acknowledged the link between organized crime and terrorism, and in particular with respect to some resolutions the way in which the drug trade is used to finance terrorism.

If that weren't enough, the special committee on security and intelligence, in its report of January 1999, reiterated this link and gave one example. I just want to read a short passage from that report, "The evidence before the committee indicates that alien smuggling rings generate substantial profit from smuggling and in some cases involve organized crime." "There is a concern," the committee went on to say, "that such rings could be used to smuggle terrorists."

We heard during justice committee hearings from the Criminal Intelligence Service Canada director, Richard Philippe. The director said that in a 24-hour period in this country, about \$6 million worth of heroin will be imported into Canada, 21 to 43 illegal aliens will arrive, \$14



million will be obtained through telefraud, and 500 vehicles will be stolen. It's remarkable. We refer to it as an underground economy, and that's what it is. It's a whole other underground world generating money for bad guys by sucking money out of the good guys. This is to the tune of over a billion dollars in this province alone since 1995, an entire underground economy profiting from crime.

To crack down on organized crime, on what it does to our economy and of course what it does to our citizens—I'm not even speaking yet of the victims of crime who are the victims of these organized crimes, whether it's one in which the face of the mobster is not present because they picked up the phone and they're a victim of telefraud, or their bike disappears but it ends up being part of an organized crime ring, but of victims in a neighbourhood. If you have a neighbourhood where a crack house moves in, that crack house in turn of course will bring more crime. Prostitution and the drug trade will come and the sex trade will come, and together, of course, there goes the neighbourhood. I say that perhaps inappropriately, because it is no joke. The neighbourhood is gone when organized crime moves in.

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Many of these crack houses have a link to organized crime in one fashion or another, and the level of organization is stunning. It cannot be a coincidence that if someone wants to get to that crack house, they are able to climb into a cab and certain cabbies just know where to find that crack house. It's a problem. The police tell me it's a problem, the crowns tell me it's a problem, the neighbourhood groups all know about this. Who is organizing this? It's organized crime. It may not get the ratings *The Sopranos* gets, but the effectiveness is extraordinary.

We need to hit terrorists in the pocketbook, just as we need to hit organized criminals in the pocketbook. Along those lines, I submitted amendments to Bill 30 on behalf of the official opposition to give antiterrorist, profit-from-crime tools to law enforcement and prosecution officials through this bill. Those amendments were brought in in part because it appeared the government was not going to fulfill a commitment the Premier made on September 24 to bring in new laws and new amendments to Bill 30.

I don't want to dwell on this point too long, because I've spoken to it in the justice committee, and democracy has unfolded the way it does sometimes, unjustly in my view. A vote has been taken, and the government voted against antiterrorist amendments to Bill 30. For the life of me, I don't understand why, and for two reasons: first, because the government's leader, the Premier, made a specific commitment to do this in his statement to this House on September 24 and, secondly, because it's become clear, based on the statement made yesterday by Attorney General Young, that contrary to what the ministry representative was saying in the justice committee, contrary to what the parliamentary assistant to the Attorney General said during committee debate, Bill 30

does not have those powers. Why? Because they're not saying they are going to turn to Bill 30 to hit terrorists in the pocketbook. Instead, the statement by Minister Young was that he would be working with Minister Sterling. So it makes the arguments a little specious.

I have to say this is a time when government's numero uno boilerplate response to any questions from the official opposition is, "Be a patriot, not a partisan." This would suggest that in fact it was time for the government to be patriots and not partisans. I certainly hope that, and I fear the amendments were struck down because they were proposed by Liberals.

What am I talking about? On September 24, my chief witness for this particular case for antiterrorist amendments, the Honourable Michael Harris, told this House that changes were coming. The Premier said, "We will ... look at strengthening any provincial legislation that could be used to prevent terrorist acts, including possible changes to the Remedies for Organized Crime Act to cut terrorists off financially."

I can't emphasize enough that this statement was not made off the cuff. This was not said in a scrum. This was not said in answer to a question. This was not the subject of some speculation by the parliamentary assistant to the Attorney General or even by the Attorney General. This was a well-crafted, well-thought-out statement by the Premier of Ontario. I cannot emphasize enough how much—I know the resources of the government and of that gigantic and bloating cabinet office that go into statements by the Premier. The Premier said clearly that we needed changes to Bill 30. Why? Because he said it. If Bill 30 was fine and didn't need any antiterrorist amendments, then why on earth would the Premier of Ontario say that amendments were needed?

When I asked the Attorney General about that, he basically confirmed that the government was not going to proceed with amendments; I still don't understand why. He said, "I anticipate this bill will spend some time at committee"—he clearly hasn't been to committee in a while; nothing spends much time in committee—"as has been negotiated between the parties. I suggest that if you have any suggestions as to how to improve this legislation in relation to organized crime or in relation to some other lawful activity, we're prepared to consider it." Thank you, Attorney General, for being prepared to consider it. In fact, you don't have a choice. Amendments are filed in clause-by-clause, and the government votes them up or down.

In fact, that isn't true in this case. They weren't prepared to consider it. They threw up a bunch of artificial obstacles to bringing in these amendments. That's clear. Why? Because the arguments contradicted what the Premier of Ontario said and, secondly, in his statement to this House yesterday the minister indicated that the government was going to—I'm going to have to paraphrase unless I can find it in a second. I did find it. In the words of Minister Young yesterday, "We will also be looking at a means of cutting off the lifeblood of terrorism, and that of course is money."

This was the point of the Liberal amendments. We wanted to cut off the lifeblood of terrorism. Instead of reinventing the wheel, we had the bill right there. Why not add these new antiterrorist powers, these new tools, to Bill 30, a bill that took six years to get the point where we're going through clause-by-clause in committee? I don't want to wait another six years before we get antiterrorist proceeds-from-crime tools in the hands of our crime fighters.

The Attorney General went on, "I will be working with my colleague the Minister of Consumer and Business Services to review provincial laws governing charities," and made reference to freezing a charity's assets. Bill 30 gives you the opportunity to seize assets and to trace the profits of crime. That's what this bill did, and we could have hit terrorists with this bill.

The government said, "No, don't worry. Bill 30 already covers this. Don't worry. It already covers this." Again, that contradicts what the Premier of Ontario said. If it already covers it, then why was the Premier proposing changes to Bill 30? Secondly, if it already covers it, then why is Minister Young not going to use Bill 30? I understand it's not the law yet; I accept that. But there's no reference to Bill 30, no reference to using that tool. Instead you have to go through the Minister of Consumer and Business Services—again, a lost opportunity by the government. I fear that for reasons of partisanship instead of acting in the name of fighting terrorism, the government did the wrong thing. The tabled amendments that dealt with focusing Bill 30 and also with adding anti-terrorist amendments as well as a level of proportionality were voted down by the government, all along party lines.

Bill 30 has raised a controversy that I know will be the subject of some discussion by the third party, and that's with respect to the difference between the federal tools to seize assets through the Criminal Code, which require among other things a finding beyond reasonable doubt in terms of the burden of proof—Bill 30, of course, involves a balance of probabilities, and that's been the subject of great concern. I know the third party expressed concerns. I want to speak to that for a moment and say this: our tort law right now, our common law, probably already permits the seizing of assets and probably already permits the tracing of profits from crime. To a large extent Bill 30 is codifying and certainly, I hope, extending the common law in this regard. The tort law, if in fact this statute is codifying the tort law, of course requires a burden of proof which is a balance of probabilities. Our tort law does not have the level of scrutiny, does not have the same liberty interests at stake as does our criminal law. The ultimate comparison of this is the criminal result of OJ's trial and then the civil result. One had a different level of proof; one had a different balance of probabilities. Of course there was a wrongful death finding on the civil front; acquitted on the criminal front.

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In my view, Bill 30 is a codification of our tort law, and if we would not ask more of our tort law than a

balance of probabilities, then I will accept, with of course some hesitation—I'm not pretending that I'm accepting this without some hesitation—that this is the way to go. Why? Because we need to get ahead of these guys. I just cited the amount of money that is going into the hands of bad guys at the expense of good guys. I've just cited the link between terrorism and organized crime. They're getting ahead of us, and we hear that again and again. I don't think anybody doubts that for a moment. So this is an effort to try and catch up, if not to try and get ahead of the bad guys. That's what this bill is supposed to be about.

Of course, it's going to be worth nothing, it's going to be a paper tiger, if the resources are not devoted to the bill, if the army of forensic accountants is not brought in, if the inherent, just structural, organizational, prosecutorial conflict is not resolved within the Ministry of the Attorney General to figure out who's going to carry these files.

I asked the ministry official during justice committee hearings, "Right now, the Ministry of the Attorney General criminal division could bring a Criminal Code asset seizure motion. With this new Bill 30 they will be able to do it more easily, obviously." I shouldn't say "always," but in most cases it's going to be easier to get. "What are you going to do? What if you've got a criminal investigation underway and you're going to complicate it by bringing the civil action?"

The answer was, "That hasn't been worked out." The other answer was, "No, we're going to beef up the criminal side too. We're going to beef up the criminal side as well as providing the resources for the civil side." As I've said before, that is not borne out in the last budget and I would be surprised if it will be borne out in any statements forthcoming from the Ministry of the Attorney General or the Minister of Finance.

Particularly in circumstances where we heard from the director of the Nathanson Centre at Osgoode Hall Law School, Dr Margaret Beare, Dr Beare said that Ontario uses the Criminal Code asset seizure provisions less than any other province. I don't know if you knew that. Ontario uses it less per capita than any other province. So we're not using the Criminal Code provisions. That quite naturally led many of us in this House to say, "Wait a minute. You're not even trying to use the federal tools. You're saying the federal tools don't work and so you're coming up with Bill 30. You're not even trying." I would imagine they're going to use it even less now that they have Bill 30. That's an important decision that needs to be made, and I look forward to at some point finding out from the Ministry of the Attorney General how they're going to do it.

The concern is that we end up having a patchwork of laws, we end up having one division of the Ministry of the Attorney General going its own way, and maybe that's going to end up conflicting with what the criminal side is doing or maybe with what's going on across the country or internationally.

I would argue that our system of federalism is not built to deal with a national war against terrorism here in



Canada. Why do I say that? The province has jurisdiction for administering or prosecuting federal Criminal Code laws. But it gets more complicated, because the federal government has its own crowns and uses the RCMP to prosecute federal criminal laws that are what are referred to as federal non-criminal penal laws; for example, under the narcotics act. Then it gets more complicated, because the province has jurisdiction over police; they can set up their provincial police force. Ontario has one, the OPP; Quebec has one. But they're the only provinces. The other provinces will contract that out to the RCMP, but it's the provincial Solicitor General who's the contractor, so they're the boss. Then of course in the municipalities the provinces are the boss, because the municipalities are subordinate to the provinces.

In the midst of this potential jurisdictional crossover, you also have a national counterterrorism plan that was the subject of discussion in the special Senate committee on security and intelligence. But wait, there's also an Ontario counterterrorism plan. Manitoba has one, because they needed one for the Commonwealth Games, and Ontario has decided that it needs one too. Look, I'm all for Ontario being a leader in our Confederation and leading the pack; I'm all for that. But we can't do it in a way that creates a patchwork of laws such that terrorists can sort of move around to the province that is prosecuting the least or not enforcing the laws as it should be.

The provincial counterterrorism plan has some conflicts with the national counterterrorism plan. Why do I say that? I don't say that, sorry. The special Senate committee on security and intelligence, in its report in January 1999, said that. They said that there were conflicts that were, in their word, "troubling." The gist of it is this: in the event of a terrorist activity taking place in the province of Ontario, in essence, under federal law and under the national counterterrorism plan, the federal Solicitor General gets the last word. Under the provincial counterterrorism plan, they're saying that Solicitor General Turnbull gets the last word. While they're fighting over who does what, nothing gets done. It all becomes to the benefit of terrorists, who thrive on legal chaos; to the benefit of organized crime that thrives on legal chaos.

Yes, we support this bill and, yes, this finally, after six long years, looks like it is actually going to become law. But the real challenge here is going to be to see how this government uses these tools in a way to effectively crack down on organized crime and on terrorism, in co-operation with federal authorities and other provinces. That's the challenge of this law.

It is a burden that is borne by this government, if only by virtue of the public relations efforts that it has made on Bill 30. We look forward to seeing what this government does in terms of putting its money where its mouth is when it comes down to cracking down on organized crime.

I'm going to share my time with the member for Eglinton-Lawrence.

**Mr Mike Colle (Eglinton-Lawrence):** I certainly want to follow up on the insightful comments of my

colleague from St Paul's, my neighbouring riding here in Toronto.

I guess the critical thing that I want to look at is that there are some very appropriate amendments made by our critic for the Attorney General, Michael Bryant, where he asked for certain initiatives to be included in this bill which would essentially also focus on the activities of organized, international terrorism and how they in essence are the imminent and present danger. I would have hoped that the government would have listened to his thoughtful amendments, because this is a dramatically different world we live. Perhaps the way we looked at criminal activities in Ontario before September 11 is dramatically different than today. Just around the corner from the Legislative Building, on Church and Wellesley here—a five-minute walk—the RCMP raided a premise that was supposedly possibly involved with international organized terrorism. I know we've been the product of days gone by when we were certainly out to crack down on organized crime and we all agreed that was especially needed, but now job one, and we have to get up to speed quickly, is cracking down on organized international terrorism, which has cells in almost every major city in this country. They are in over 60 countries in the world.

**1700**

What's most disgusting about organized terrorism is that not only do they terrorize and destroy buildings or kill innocent victims like they did in New York City, but they also make it more difficult for a lot of Canadians and Ontarians who are immigrants from other countries. All of a sudden, people are concerned about where their neighbours come from because they may come from one of these countries that have perhaps been associated with the takeover or the involvement of terrorism. So they not only do irreparable harm and disgusting things to innocent people at large like they did in New York City at the twin towers, but they're doing harm to the fabric of Ontario society by essentially making us very, very vulnerable to more hate crimes. Because these terrorists really don't care. That's what they want to ferment. They want to ferment hate and destruction. They want to undermine democracy and respect and the hundreds of years we've spent building those treasured hallmarks of Canada. These terrorists want to bring them down. That's why I think we have to react decisively in a focused way to stomp out terrorism.

Terrorism is an international financial network too. It is probably much more diabolical and international than any organized crime has been in our history. That's why I thought it was appropriate and very learned of the member from St Paul's to ask why we don't include these added measures here in Bill 30. We know these terrorists funnel money to each other, launder money and will put up front organizations. There is a whole list of them in the United States' Attorney General's office; federally, we've done it.

This is job one right now, and that's why I had hoped this bill had been beefed up to take on those cowardly, cold-blooded murderers we call international terrorists. I

think they deserve the full weight of the law, and that's why I hoped Bill 30 had included that.

The other thing we've got to realize is that we also have to make sure we follow the lead of the existing federal and local agencies, which are also literally in day-to-day combat with terrorism here in our cities in Canada. For instance, our RCMP, under the very, very capable leadership of Giuliano Zaccardelli, needs to have the support of the Ontario government in every way, shape or form. Zaccardelli has 30 years of experience fighting terrorism. His second-in-command, Ben Soave, has 32 years of fighting terrorism all over this globe—he has that kind of expertise.

So what really dismays me today is the pattern I've seen with the Solicitor General, where he didn't even have the common decency or the foresight to phone or contact the chief of police of Toronto, Julian Fantino, before he devised certain antiterrorism measures which they introduced yesterday and the day before. I just wonder whether our government is, instead of fed-bashing, sitting down with experts like Zaccardelli from the RCMP, sitting down with experts like Ben Soave from the RCMP, and saying, "How can we help you root out these hate-mongers?" That's what they are. Terrorists are basically hate-mongers. That is why I thought our government should also do more to co-operate with the local Toronto police. They've been dealing with these hate-mongers too, on a local level. Ask them what we can do to help them do their job better. Perhaps if we can give more supplement to the Toronto police, they can use more of their resources to go after the terrorist hate-mongers, the cold-blooded murderers.

For instance, in the city of Toronto, I talked to the head of the Toronto fraud squad. This detective said he has six years of work piled up on his desk. It's basically him and another officer who are trying to handle six years of work because they don't have enough resources to do the day-to-day stuff.

These terrorists are involved in fraud. They're all fraud artists. What they were allegedly doing over here at Church and Wellesley, right under the nose of the Legislative Building, was copying false documents, passports—all kinds of documentation being done in a photocopy shop. That hasn't been proven, but that's why the RCMP raided it, because they had good evidence that even that disgusting mass murderer Mohammed Atta was seen by witnesses three blocks away from this Legislative Building.

These things are going on in our city, and our police forces don't have the help to do the day-to-day work. They're taken away from shutting down some of these murdering hate-mongers, this international web of terrorism which makes some organized crime look like Boy Scout activities. That's how bad they are. We know how bad the traditional form of organized crime is. We've got something that is diabolically a thousand times worse than whatever these so-called mobsters, organized criminals, try to do, in what they are trying to do to innocent people from the Philippines to the Sudan, what they're

trying to do in Egypt and Algeria, what they're trying to do here in North America. These diabolical killers must be met with direct force. We have the force of law where we can perhaps get rid of these hate-mongers and stop this hate they are spreading.

That's why with Bill 30 we could have put in some measures that gave our existing forces like the RCMP and the Toronto police the resources to deal with the threat these hate-mongers have perpetrated on the free countries of the world. It's not only the western countries, if you go and see what these hate-mongers have been doing in Algeria for the last 10 years, where they've been butchering families and children from street to street because they won't adhere to their hate-mongering extremism. They are perpetrating this war on all peace-loving people. That's why we have to be firm, we have to be just, we have to ensure that we're tolerant and root out this small minority of hate-mongers who are doing a disservice to all Canadians, wherever they come from. That's why I'm in favour of strong measures to deal with this kind of diabolical threat that we face here in Canada.

**The Acting Speaker (Mr Bert Johnson):** Comments and questions?

**Mr Kormos:** In approximately eight more minutes I'm going to have my chance to do what we call here the leadoff response. I'll have an hour of floor time, an hour of speaking time. I won't get my comments completed today, so folks who want to listen to them or watch them, if their cable's working and if it's not too fuzzy to interfere overly much with the reception—because cable television is problematic, which is why people should be looking to satellite dishes or getting back to old-fashioned antennae instead of being ripped off time and time again by cable operators.

But I've got to tell you, I clearly knew where the government stood. There were no two ways about it. The parliamentary assistant has, as a matter of fact, been fair in his consistent presentation of the government approach and, quite frankly, in recognizing that there are different perspectives here. I say to the parliamentary assistant, you have been fair.

I am very concerned about this legislation. I'm concerned about what I fear can be a lack of effective and meaningful debate about it. I'm concerned that incorporating and bringing the events of September 11 in the United States and our not unnatural reaction to them, including the fear, into the debate may be compelling people or driving people to take positions with respect to this bill that they wouldn't have otherwise taken.

1710

We're already seeing in Ottawa Criminal Code amendments and, again, a critical debate remaining around sunset clauses that effect a serious impact on civil liberties and the strong likelihood that no sunset clause, no foreclosure date will be a part of that legislation.

We're dealing with very dangerous stuff here, especially in light of the passions that have been inflamed by September 11.

**Mr Carl DeFaria (Mississauga East):** I would like to join in this debate. I want to thank the members who



have participated. I am glad to see that the Liberal members see it right to support this bill. I was surprised, however, that members often, even though they support the bill, still find faults with the provisions, like the members from St Paul's and Eglinton-Lawrence. I'm surprised my colleague from Niagara Centre is opposed to this bill, because he usually supports bills of this nature. I am a bit disappointed that this time he is not supporting this kind of bill.

Organized crime affects all facets of Ontario life, not just urban communities but also rural communities. Some examples of organized crimes are credit card frauds, the drug trade and all of its spinoffs, which have hidden and damaging impacts on our communities. Telemarketing fraud is another example; motor vehicle theft rings, all kinds of activities that really affect our citizens in Ontario.

Organized crime and other unlawful activities are major threats to the people of Ontario. It is difficult to truly understand this threat in our daily lives. Most of us are not aware of all that is involved in organized crime. It often exists behind the scenes, in the shadows, but it surely affects all the people in Ontario.

I'm glad to see that the official opposition is supporting this bill, and I will be supporting this bill.

**Mr Gerry Phillips (Scarborough-Agincourt):** I want to compliment my colleagues from St Paul's and Eglinton-Lawrence on their comments on the bill. I'd just say to the previous speaker that one of the jobs of opposition is to challenge the government, to challenge the ideas in the government, to try to make bills better. I'm very proud of the fact that my leader, Dalton McGuinty, challenged this bill very vigorously when it was first introduced. The government initially did what it always does and said, "Oh, no, this is all fine. You're just being mischievous," but then finally recognized that my leader had some significant points that the government was forced to incorporate in the bill. Frankly, Mr DeFaria, we'll continue to challenge bills and we will continue to try and improve bills.

My colleague Mr Colle points out that we're at a time when we should have an unprecedented level of co-operation between our levels of government and the organizations trying to deal with it. And I must say I've been disappointed this week in what I regard as the government attacking the federal government for no good purpose other than to get at some old wounds about not liking the federal government.

I think that on this particular issue the public are saying to all of us, "Listen, set aside your old arguments and your old political battles and your anger and your support of the Alliance Party against the Liberal Party federally and get on with working co-operatively, at least on this one issue."

So I would urge the government, on behalf of the public, to set aside its anger with Trudeau. I guess Mr Flaherty is still mad at Trudeau from years gone by. Mr Chrétien is now the Prime Minister, and you may be angry with him. Work co-operatively to stamp out organized crime.

**Mr Prue:** I listened in some awe to some of the speakers here tonight, especially my friend the member from St Paul's, who pointed out what happened right through this entire bill process. I found his remarks particularly helpful about how the process sometimes gets misinterpreted, from the Legislature, down through the courts and to the municipalities, and he gave some very good examples.

I also listened to what my friend Mr Colle from Eglinton-Lawrence had to say. I think he hit right on the nub of the problem here. I'm not convinced yet that this is the legislation that is needed, but what he said was absolutely right: the police do not have the resources in this province to do what is necessary to combat organized crime or terrorism or simple pickpockets. If a police sergeant has six years of fraud cases on his desk that he cannot get to, then that is the problem. The problem is making sure there are sufficient resources to the men and women in those various police departments so they can go out and do the job they need to do. They do need help from this Legislature.

I think there are some parts of this legislation that may in fact be good, but I continue to be troubled again and again by the general provisions of what constitutes how you can seize someone's property, particularly if those people have not been convicted and in fact are acquitted.

I have some real difficulties with the rule of law, on which we in this country have prided ourselves. I'm going to listen with some awe to the member from Welland when he talks about balancing the protection of the rights of the individual and what the law of this country has always been, because we have succeeded in building a great country.

**The Acting Speaker:** The member for St Paul's or Eglinton-Lawrence has two minutes to respond.

**Mr Bryant:** I thank the members opposite for their comments. I have to say to the member for Mississauga East, surely it is the purpose of debate here to express concerns about legislation. I note that while the anti-terrorism bill is going through Parliament, there are members federally, not of the cabinet—and apparently also the cabinet—who are willing to talk about the faults of that bill. I think, for example, of MP Irwin Cotler. Surely you cannot begrudge the official opposition, and the third party, for that matter, for doing its job and raising concerns with respect to the bill.

In any event, the chief criticism of the position we are taking, I take it, is that we are supporting a bill that does not strike the balance, if you like, between civil liberties on the one hand and protecting the public on the other hand. I would say again, yes, I understand that, pre-conviction, this may seem to be onerous, but on the other hand, we are talking about whether or not organized crime can profit from organized crime and whether or not we can get our hands on those assets. We are not talking about the liberty interest of locking these people up. There's a difference, and our tort law recognizes that difference. That's why there's a distinction between the tort law and the criminal law.

I would say, if we're going to catch up, if we're going to hit them in the pocketbooks and we're going to do to terrorists and organized crime what in essence historically we've had to do in order to crack down on organized crime, then it means we're going to have to sometimes try to do indirectly what we can't do directly, and I don't mean in terms of civil liberties, I mean in terms of getting our hands, in this case, on their assets to shut them down. That's the goal. That's what we support, with great trepidation, but this is in the interests of working families. Along those lines, I would say that this is a bill we must support.

1720

**The Acting Speaker:** Further debate?

**Mr Kormos:** First and foremost, New Democrats oppose Bill 30 and we will vote against it. We understand where this stuff comes from. This is part of this government's law-and-order agenda.

"This bill today"—referring to Bill 30 in an earlier reading—"is nothing more than simply another exercise in Tory public relations stunts," nothing more than that.

A similar comment: "Our concern with this bill is that it is neither effective, nor will it stand the test of time for the reasons I want to speak to."

Both are perfectly accurate comments. The first was made by the Liberal member from Hamilton East. The second one was made by my colleague the member from St Paul's.

There had been clear debate around the bill and the standard of proof that it imposed, or provided, during the course of the committee hearings around the first version, the first incarnation of this bill. New Democrats adopt the analysis, quite frankly, of the Canadian Civil Liberties Association. Alan Borovoy was their spokesperson at those committee hearings, when he said, "There is very little in this bill that is worthy of enactment," and when he said, "What is not acceptable, in our view, is, as between alleged perpetrators and alleged victims, for the power and resources of the state to be marshalled against one in favour of the other on the basis of a judgment made at the political level, and then for the state to have to do nothing more than prove its case on a balance of probabilities."

You see, there already exists legislation in this country that permits the seizure of the proceeds of crime and the seizure of those assets that are used in the commission of crime. They're in the Criminal Code of Canada. You've already heard that crowns and police in Ontario have been disinclined to use these provisions in the Criminal Code as aggressively as their counterparts in other jurisdictions, that is, the other provinces, have. The provisions in the Criminal Code in fact require that there be a crime proved on the traditional basis of what is necessary to prove the offence or to prove a crime, that is, on the basis of proof beyond a reasonable doubt.

Part V, section 16 and section 17 of this bill, are the crux of the matter, because they permit the state to marshal all of its resources and go after the assets, the personal property, without there ever having been an

offence charged or even if that person has been found not guilty or the charge has been withdrawn by the crown attorney. I'm sorry, but we New Democrats find that an unacceptable standard. The citizenry, the residents of this province have to be protected from the incredible power that the state can muster in its pursuit of an individual. We are prepared to stand with those people who believe that innocent people should not be exposed to that incredibly powerful and intrusive mechanism, the state armed with this bill. This bill poses real dangers, in our view and in the view of a lot of other people, for innocent people here in Ontario.

Look, we had a pre-September 11 climate, and that's where it was organized crime. Fair enough, there isn't a member of this Legislature who wouldn't like to see organized crime stamped out as effectively as possible and, ideally, totally or, for that matter, any other element of crime or type of crime, disorganized or not, stamped out as well. Our view as New Democrats is that you don't do that by lowering the standard, by eroding civil liberties, by eroding the rights and freedoms that every person who sets foot on Canadian soil acquires and that makes our country a model for the rest of the world and the ideal, the standard, to which so many other countries aspire and for which people are dying in the course of that exercise of fulfilling that aspiration.

Look, the hot button before September 11 was organized crime and the incredible impact it has societally, economically and on people's day-to-day lives. I mean, there are victims. There are clear victims. But we mustn't let our zeal to fight crime override our concern for the rights of the innocent and our desire to protect the innocent from heavy-handed intrusion into their lives and their affairs by the incredible power that the state can muster.

After September 11, of course, the zeal was enhanced, because the bottom line is that after September 11, unless you're talking really tough about terrorism, you're somehow less patriotic than your neighbour. If you're not talking about using the toughest measures and looking under every bed in every household in Ontario or Canada for terrorists, you're somehow going to be portrayed and possibly perceived as less scornful and disdainful of terrorism and terrorists than your neighbour who is ringing the alarm bells.

I think it's very regrettable that this government would call this bill after September 11, because I think we're in a climate right now, we're in conditions right now, where many people may not be thinking as clearly, as calmly, as soberly about this bill and its impact as they ought to be. There are some serious impacts and repercussions, especially when—

*Interjection.*

**Mr Kormos:** Exactly, and you heard what I said. I regret that this bill has been called again so soon. The bogeyman before was organized crime, and we acknowledge that. Now you throw terrorists into the hopper. To be fair, the government hasn't done that. The government



rejected the Liberal amendment that tried to add terrorism to the list of offences here.

**Mr Bryant:** Whose side are you on?

**Mr Kormos:** Exactly, whose side am I on? I'm being challenged now. My fidelity to my neighbour is being made suspect. This is like Diane Francis in the National Post who labels every progressive group. Just recently, one that I'm involved in, a human rights trip to Colombia—and Rosario Marchese came along with us—was labelled as a front for a terrorist organization, because she disagrees with our sympathies and with our interest in human rights in Colombia. You see, it's this kind of climate that's being provoked by September 11.

But let me say this: there had been, pre-September 11, some element of competition about who can be tougher on law and order than the other, and since September 11, we've seen some significant competition in this Legislature about who can be tougher on terrorism than the other.

Let me put this into perspective. I have some regard for the member for St Paul's. I have some regard for some of his colleagues. I recalled and reread the observations that the member for St Paul's and his colleague Mr Agostino had made about Bill 30 before September 11.

**Mr Bryant:** You read that out of context.

**Mr Kormos:** I read those to refresh my memory as to what was actually said. Let me illustrate how this zeal to be holier than thou, to be purer than the other, can hurt people.

**Mr Bryant:** This could only come from a New Democrat.

**The Acting Speaker:** Member for St Paul's, come to order.

**Mr Kormos:** Let me demonstrate how this zeal can hurt people.

*Interjection.*

**The Acting Speaker:** Member for Scarborough Centre, come to order.

**Mr Kormos:** We have 103 elected members in this House. By virtue of being elected, you would think that that member, chosen by the people of his or her riding, would at least have the right to stand in their place here and engage in debate, the right to participate in members' statements, the right to ask questions during question period. We instinctively think that's what being elected here gives us. But in the zeal to become holier than thou—and I appeal to my Liberal counterparts here as I make this analogy—one of their members, Ms Boyer, has been denied those rights. By virtue of her expulsion from caucus, Ms Boyer from Ottawa has been denied the right to stand in her place and participate in debates. Ms Boyer has been denied her right to participate in question period. Ms Boyer, the member for Ottawa-Vanier, has been denied her right to engage in the rotation of member's statements. The residents of her riding have been denied their right to a representative. Let's understand how this happened, because I tell you this is all about the zeal to make oneself holier-than-thou.

We know that Ms Boyer was elected by the voters in her riding. She's of a different political persuasion from me and I say, fine, so be it, but I also know her to be a distinguished person and a strong advocate for her community. I respect her ability in that regard.

1730

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** On a point of order, Mr Speaker: I think it's important for the people who are watching to understand that an independent member of this Legislature does get the opportunity to make statements, does get the opportunity to speak from time to time, does get the opportunity to do those kinds of things.

**The Acting Speaker:** Very informative, very interesting, but not a point of order.

**Mr Kormos:** And when the moon is blue we will once again hear from Ms Boyer in the Parliament, in this chamber.

Now, here again, an illustration of what happens when zeal overcomes reason.

**Mr Rosario Marchese (Trinity-Spadina):** Political positioning.

**Mr Kormos:** The zeal—Rosario Marchese says it's political positioning—on the part of the Liberals to position themselves on the anti-organized crime side, clearly, even at the abandonment of any strong commitment to civil liberties. It seems that the same Liberals who would, in my view, compromise with Bill 30, have compromised with respect to their colleague Ms Boyer from Ottawa-Vanier.

You see, what happened is that before she got elected—this is as I understand it—she got involved in an incident that resulted in a criminal charge being laid. The matter was investigated and she—and this is what's very interesting—pleaded guilty to the charge. Some lawyers speak about that as being demonstrative of contrition and remorse. She didn't try to weasel her way out of it, and too, the court, in assessing the facts, granted her a conditional discharge. They didn't even convict her, notwithstanding that she pleaded guilty of what can be a very serious criminal offence.

The discharge was conditional on a six-month period of probation. I understand from reading the press—and this is certainly my view—because Ms Boyer was expelled from the Liberal caucus on the occasion of pleading guilty, I presumed, however improperly, that once the six months expired, once she was completely then aloof of the justice system, that she would be returned to her stature in caucus and thus acquire once again all those rights she would have as a member of the Legislative Assembly to speak out and advocate on behalf of her constituents or participate in debates like this and so many other debates.

I believed that the leader of the Liberal Party would have enough regard for the rights and interests of those people in Ottawa-Vanier that he would respect their right to have their elected representative participate fully in all of the processes that happens.

Let's understand, when you're expelled from caucus, you've got no access to any of the resources that caucuses have here—more and less depending upon their size. No access to the research teams, no access to all of the sorts of things like, in the case of the Liberals, a huge number of staff. There were eight staff people sitting behind the Speaker today from the Liberal caucus and there was our one House Leader-whip-staff person, Allie Vered, who seems to manage to do as much as the eight Liberal staffers. I couldn't count the number of Conservative staffers back there. They were standing on each other's shoulders and peering over each others' shoulders.

But I would ask us to consider how much judgment can be distorted in the course of political positioning, because the only conclusion I can come to is that the leader of the Liberal Party is merely trying to position himself. Again, I'm making a presumption that he's trying to present himself or he doesn't want to expose himself to accusations of, let's say, being soft on crime. But I say that at the same time he's exposing himself to accusations of incredibly poor judgment, that the leader of the Liberal Party is exposing himself to accusations of being disdainful of the people of Ottawa-Vanier, the people who count on and should have a right to count on Ms Boyer to represent them here.

I suspect that the leader of the Liberal Party, by virtue of his persistence and his ongoing exclusion and indeed—

**Mr Bryant:** On a point of order, Mr Speaker: I would never want to gag the member who is currently speaking, but we've now been on this for 15 minutes and it's got nothing to do with Bill 30. Would you get him back on the bill?

**The Acting Speaker:** That is a point of order. To the member for Niagara Centre, it's a very interesting and very informative discourse to this point, but I too would like to have it referred to the bill that's in front of us.

**Mr Kormos:** Thank you kindly, Speaker. Bill 30 and the judgment that one exercises about one's support for Bill 30 should not be impaired, should not be distorted by one's zeal to somehow be tougher on crime than somebody else. I question, with great respect, the judgment being exercised by the people exercising influence or control in the official opposition caucus, just as I question its judgment in excluding Ms Boyer and its continued persecution of Ms Boyer in its attempt to appear tough, notwithstanding that the court considers it appropriate that the disposition as a result of the offence with which she was charged for behaviour which occurred before she was elected, quite frankly had nothing to do with or would suggest an inability to serve in this Parliament.

There wasn't any suggestion of any number of offences—of taking bribes, for instance—to affect one's vote. Nothing in my view, and I've read the reports as to what the court had to contemplate in determining how to resolve Ms Boyer's matter, had to do with anything that

would reflect on her ability to sit in this Parliament or represent her constituents.

We're talking about targeting people. I'm talking about Bill 30 in the capacity that it generates in the government to target people, and I'm talking about the phenomenon of the eagerness to position oneself, either individually or as a party politically and the consequences that can have in terms of how accurately or judiciously you exercise particular judgment. Bad judgment is a human fault and bad judgment can more often than not be corrected by acknowledging the error and saying, "No, that was the wrong position to take." I quite frankly respect that. If upon reflection somebody, anybody here, says, "No, I've reflected on the matter, I've analysed it, I've reviewed it, I've mulled it over and I'm sorry. I perhaps shouldn't have taken that position and I retract that position," that's fair enough.

I'm calling on people in this Legislature to show good judgment in response to Bill 30. I'm pleading with the members of the Liberal caucus to show good judgment with respect to Bill 30 and perhaps acknowledge that the effort to position the Liberal Party on the "get tough on the bad guys" is the same sort of pressure that has led this Liberal caucus to beat up on Madame Boyer from Ottawa-Vanier. It has resulted in Ms Boyer sitting quietly in the far corner, deprived of the tools and resources she needs to do her job for her constituents.

1740

Ms Boyer has been incredibly faithful to the Liberal caucus. She has, as far as I've been able to observe, voted consistently with the Liberal caucus. She has still felt some sense of caucus discipline. I understand Bill 30. Ms Boyer has demonstrated an ongoing sense of caucus discipline. She has not been critical of her leader or her caucus in a public way. She has shown great fidelity to her former caucus mates and to the leader of that party and caucus. Do you not begin to question the judgment when a caucus will treat one of its members that badly? We're getting back to the caucus's position with respect to Bill 30, aren't we, Speaker?

**The Acting Speaker:** I hope so.

**Mr Kormos:** Of course we are. So here's a caucus that shows such poor judgment with respect to one of its own and is prepared to sacrifice its own, to literally roast her, leave her out there hanging and deny her constituents of their right to an effective MPP, as she would be.

I knew her when she sat right where the member for St Paul's is sitting now. She was a good MPP. She was an advocate for women and an advocate for francophones.

*Interjection.*

**Mr Kormos:** She did and she was.

For her leader, Dalton McGuinty, to punish her to improve his own stature or at least to appear to improve his own stature I think is something that should be of concern to all of us.

**Mr Bryant:** On a point of order, Mr Speaker: As much as I never want to inhibit the political debate, particularly when coming out of the mouth of Mr



Kormos, I fear the member is not following your decision of two minutes ago. We're now at 25 minutes of debate with respect to my friend Ms Boyer and I believe we need to get back to Bill 30.

**The Acting Speaker:** That is a point of order. I would ask the member for Niagara Centre to make this a debate on the bill that is before the people of Ontario. I would ask for your indulgence in that. I respect the skill you have in debate. I know you can do it.

**Mr Kormos:** Like that Dylan album called Bringing it All Back Home. Remember that one? That was around 1965. Mr Tilson, you remember.

I appreciate it's frustrating for some people here, but I'm trying to talk about how we are drawn into making decisions for political positioning. I'm suggesting that is why some people are being drawn to support Bill 30. We're drawn into making decisions for political positioning that cause us to abandon our sense of fairness, of what's just, of what's right, and indeed to abandon good judgment.

Ms Boyer has been dealt with by the courts. We have the Liberal caucus supporting Bill 30. We also have a Liberal caucus that appears to be supporting Dalton McGuinty in his persecution of Madame Boyer. I say to you, Speaker, that it's the very parallel that makes it very relevant, because it's the effort to position oneself politically that draws a caucus and their leader to take the wrong decision, the unfair decision, the unjust decision, the injudicious decision. Just as they've done it to Ms Boyer, just as they've barbequed her or roasted her on the barbeque of Dalton McGuinty's ambition, it seems they're prepared similarly to abandon the civil liberties of innocent people in Ontario in an effort to align themselves with the Tories and the Tory law-and-order agenda, one which I insist—

**The Acting Speaker:** I don't like to keep on the same subject, and obviously you don't either, but the subject is Bill 30. I realize that there are all sorts of reasons for including different things in debate, but I'd rather not get into those. I would ask you to bring yourself, not within the confines, but within the spirit of the bill. I haven't found that yet, so I want to express some sense that I'm not being listened to. A person in a different situation might be frustrated. I don't get frustrated, but if I'm listened to, I'd feel much more comfortable about things.

**Mr Kormos:** Speaker, please, I apologize. It is not one of my many ambitions to cause you discomfort. I respect and appreciate your guidance. I value your guidance. I listen carefully to you, sir, and that's why I will return to the matter of Bill 30: justice and fairness for innocent victims and for people whose welfare is put at risk by Bill 30.

Take a look at sections 16 and 17 on the balance of probabilities, and take a look at the fact that people who have been acquitted, people who have been found not guilty of a criminal offence can then—the state had one kick at the can, but then can mobilize that same police power and technology and have a second kick at the can. Where they couldn't get in through the front door,

they're going to get in through the back door. No, it's wrong.

If we're talking about criminal offences, we let the Criminal Code provisions prevail, because those Criminal Code provisions permit the very seizures and forfeitures with an adequate standard of proof that ensures innocent people are protected. You see, I trust the court's power to make appropriate decisions with the provisions of the Criminal Code. I trust that the court that tried Ms Boyer after her plea of guilty determined what the appropriate penalty would be, and that would be probation and a conditional discharge—no conviction upon completion of that probation.

Look what's happening here. This Liberal caucus wants the court to have two kicks at the can. Why, indeed, Mr Bryant said, "It is my view that we're not here to play judge." Mr Bryant said that an hour and a half ago. I took note of what Mr Bryant said because it's what provoked me to raise my concerns about Ms Boyer, because in fact the Liberal caucus is playing judge and judge again and judge again. They aren't satisfied with the disposition of Ms Boyer's case by the provincial judge who gave her a discharge as a result of a plea of guilty.

This Liberal caucus wants to re-sentence her, and not only re-sentence Ms Boyer, but it wants to re-sentence her constituents.

**The Acting Speaker:** Order. Perhaps I haven't been blunt enough. I would like you to bring your debate within the bill, or we'll have a difference of opinion.

**Mr Kormos:** Thank you kindly, Speaker. I've been working as hard as I can and as long as I can because I want the opportunity to speak to this whole matter again in this Legislature.

**Mr Bryant:** The whole matter of what?

**Mr Kormos:** The whole matter of how sometimes our political positioning, our desire to position ourselves politically, can interfere with good judgment. The whole law-and-order aura is one created to a large extent by the Conservatives. It was one used to win two elections. Mr Bryant, the member from St Paul's, has had occasion to stand in this Legislature, frequently, and condemn this government for creating chimera, mere chimera out of the fear and the trepidation that the public has about law and order. In fact, we forced this government to say that the public needs to be protected from the perception of crime or from the fear of crime. You notice that, don't you? They've shifted their language because they know that much of what they've come up with in terms of their so-called law-and-order agenda is mere fluff. It's feel-good stuff.

1750

The other reality is that Bill 30 will not achieve the results that you anticipate. Mr Bryant said so, and I trust his observation on that occasion.

**Mr Bryant:** That's out of context.

**Mr Kormos:** That was then; I appreciate this is now. But I took great notice when Mr Bryant—he's a lawyer and his judgment in terms of lawyerly things ought to be

given some weight; I think that's how they say it—said, "Our concern with this bill"—Bill 30—"is that it is neither effective nor will it stand the test of time." I took some comfort—

**Mr Bryant:** That was then. It's fixed now. We fixed it.

**Mr Kormos:** That was Bill 30, that wasn't its predecessor.

**Mr Bryant:** No, we fixed it. That was before we fixed it.

**Mr Kormos:** There were no amendments made subsequent to that observation by Mr Bryant. There were no amendments made to the bill subsequent to the observations of Mr Bryant.

I have to say, what causes rational people like Mr Bryant, for whom I have regard—

**Mr Bryant:** I love you too.

**Mr Kormos:** Well, I like you very much, Mr Bryant.

But what causes people like Mr Bryant, who is held in high regard and has exercised a good understanding of the law, to make this significant shift? What causes Mr Bryant to do that? I suspect the motivation, the motive, and I wonder what the motive is. So that's when I have to look at other things that are happening around us to see if we can determine the motive. Isn't that fair? We have to understand why people have made significant shifts on positions with respect to this bill, and then we have to try to say, what would cause them to do that? Would it be the persuasiveness of Mr Tilson's arguments?

**Interjection:** I doubt it.

**Mr Kormos:** No, it could be. You look at all of the options. It could be the persuasiveness of Mr Tilson's arguments. That could be why the Liberals seem to have made this significant shift from, "The bill is neither effective nor will it stand the test of time," to "We're going to vote for it. Maybe we're a little concerned about some elements of the bill but, by goodness, we're going to vote for it."

I also understand the tactic of showing up at committee with amendments so that you can say, "We were going to support it but you guys didn't accept our amendments. OK, that does it. We're not friends any more. We're going to oppose your bill." That is a technique that's used to straddle the fence. It's a technique that's used from time to time to try to move from an uncomfortable position to a similarly uncomfortable but appropriate position. I understand that. It's a tactic. I thought for the briefest of moments when the Liberals came forward with these amendments that that's what they were going to do; they were going to say, "OK, that does it. If you had accepted our amendments—now we can tell the people out there, the Toronto Sun readers"—because it was going to add terrorism as one of the offences; very good. So the Liberals would say, "We were going to support this bill if only the Tories had included terrorism. Since the Tories aren't going to include terrorism, make this bill the tough piece of legislation that it should be so we can seize terrorists'

assets, then to heck with the Tories. We're not going to support their bill." You sort of appeal to both groups.

Then you wonder whether Ms Boyer is caught in the same kind of tension—just a passing observation, strange observation. There will be more time for me to appeal to the Liberal caucus to show some generosity of spirit to Ms Boyer.

Look, was this bill difficult for us in terms of sitting down and saying, "We understand what the goals of the bill are and we laud those goals"? We did that, and I've stated time and time again, yes. I've also stated that of course the police would like a lower standard of proof, and if you sit down on one-to-ones with police officers, they'd like to have greater powers of arrest without warrant. If you sit down with police, the ones who have to do their day-to-day jobs, they'd usually prefer that you didn't have to advise the accused person in detention of their right to counsel because it would make their jobs much easier. I acknowledge it would make their jobs easier. Of course it would. It would make the whole judicial system's job easier if those safeguards weren't in place. If the standard of proof for criminal convictions was the balance of probabilities, as it is in this bill, there wouldn't be a single acquittal in any court in any province, in Ontario or across the country.

Would that make the jobs of some people easier? Of course it would, but would it make the system more just? To the contrary. We cannot let our passion for, yes, civil liberties be eroded by our fear of terrorism or by our fear of being identified and being pointed out as not being zealous enough, and therefore somehow suspect in this North American, indeed international, opposition to terrorism, its tactics and its very existence.

The New Democrats live with the observations made by Alan Borovoy and others like him. We live with the fears expressed by laypeople who appeared before that committee. One woman, Judy MacDonald, said, "I'm in this very scenario. I'm the sort of person who I tell you right now would be found liable to the state under this bill." She appeared at the committee hearings. "I tell you I'm an innocent person, but to use the test of balance of probabilities to determine whether or not anything I own is the proceeds of crime, well, because I married an ex-con who is notorious in our community and who was admittedly a participant in organized crime, yes, my dry cleaning shop and my home could very easily fall prey to a zealous political decision to mobilize police forces and state resources against me when the test is merely the balance of probabilities."

I've been in too many courtrooms too many times and witnessed too many good judges who have indicated quite clearly that suspicion, even suspicion upon suspicion upon suspicion, is not proof of guilt. The exercise—

**Mr Bryant:** This isn't about guilt.

**Mr Kormos:** It's very much about guilt, because it says that even if you haven't been charged with a crime, you're guilty of a crime and therefore the proceeds of



that crime, which we presume to be proceeds because we've presumed you guilty of a crime even though you haven't been convicted of a crime, even though you may never have been charged with a crime, even though you may have been found not guilty of a crime. This bill says we can still go after your assets, your property, your home, your car, your furniture, your bank account, every last cent, and seize it. Boom, like that, it becomes the property of the state. It's no longer yours, no matter how

hard you worked for it, no matter how long it took you to acquire it.

That's not legislation that should be presented in a society that cares about the innocent, that cares about the victim. The pursuit of criminals—

**The Acting Speaker:** Thank you very much. It being 6 o'clock, this House stands adjourned until 1:30 pm next Monday.

*The House adjourned at 1800.*

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Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
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Deuxième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Monday 5 November 2001**

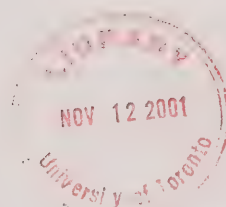
**Lundi 5 novembre 2001**

**Speaker**  
Honourable Gary Carr

**Clerk**  
Claude L. DesRosiers

**Président**  
L'honorable Gary Carr

**Greffier**  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 5 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 5 novembre 2001

*The House met at 1330.*

*Prayers.*

### WEARING OF RIBBONS

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: November is Wife Assault Prevention Month, and a white ribbon campaign is being spearheaded by Men Against Violence Against Women. They are asking for a white ribbon campaign for the month, and I'm seeking unanimous consent for permission to wear the ribbons.

**The Speaker (Hon Gary Carr):** That would be for the month? Is there unanimous consent? I'm sorry, I heard a no, unfortunately.

*Interjection.*

**The Speaker:** Oh, he is seeking clarification.

**Mr Levac:** It's Wife Assault Prevention Month.

**The Speaker:** Is there unanimous consent? Agreed. I thank the members.

### MEMBERS' STATEMENTS

#### ROAD UPGRADE

**Mr Michael A. Brown (Algoma-Manitoulin):** Once again I rise to bring to the attention of the Minister of Northern Development and Mines, the Minister of Transportation and this House the need to make the Ramsey industrial road, sometimes called the Sultan road, a provincial highway.

As members would know, this road is a critical transportation link for health care, business and tourism. For too long, this Domtar industrial road has impeded safe and expeditious travel to the east.

I have asked the Minister of Northern Development and Mines to form a partnership with the communities involved, with Domtar and with the provincial government to upgrade the 80-kilometre stretch of road in a staged, safe and expeditious way. He has told me this is not a priority.

Chapleau Mayor Earle Freeborn continues to work on this important issue for his community and others. Mr Freeborn has the support of communities from Sudbury through to Thunder Bay, including Wawa, Dubreuilville, White River, Manitouwadge, Hornepayne, Schreiber, Nipigon, Marathon and a multitude of others.

Clearly, for northern people this project is a priority. Mr Newman needs to rethink his government's priorities. The status quo is not acceptable. We need action, and we need it now.

I was in Chapleau a week ago, and Mr Freeborn, the mayor, told me that it was almost impossible to navigate the Sultan road and that the mayor of Sudbury, Jim Gordon, was coming to meet Mr Freeborn in Chapleau and he wasn't sure that the mayor from Sudbury would get there.

### VOLUNTEERS

**Mr John Hastings (Etobicoke North):** Today I want to join with members of the Legislature in saluting volunteers from my riding, who have done a tremendous job, and as a direct contribution in recognition of the United Nations International Year of the Volunteer. We want to express that in the form of a poem that was written by one of our distinguished volunteers from Albion Lodge. Here we go.

Ode to Our Residents

Volunteers are here to stay,

We like your thanks, we take no pay.

You see, we are a special breed,

Tending to your every need.

How often have you asked yourself?

Have I been put up on the shelf?

As volunteers, we know you've not,

And yes, we feel your not forgot.

We're there to listen and to talk,

And even take you for a walk.

We like to go to church with you,

And even share a joke or two.

You know, they say a volunteer,

Is one, who comes and gives good cheer,

We thank you for this special day,

God's speed be with you, this I pray.

I'd like to salute these great volunteers, who are on our right, Speaker, who have contributed enormously to the caring community at Albion Lodge in Etobicoke North.

### INFRASTRUCTURE PROGRAM FUNDING

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** As we head into winter, I think members on both sides of the aisle would admit that the Ontario economy is



heading into some difficult if not stormy weather. My constituents in the upper Ottawa Valley are telling me that they are most concerned that their governments, federal and provincial, focus their attention at sensible stimulus packages and particularly programs that concern themselves with maintaining and expanding job opportunities.

I want to take this opportunity on behalf of my constituents in Renfrew-Nipissing-Pembroke in asking the Harris government to bring forward sensible capital spending, the so-called public works spending that is already on the books. In my area, for example, we have a major hospital renovation at Pembroke that is awaiting a green light from the Ontario government. We've got highways like provincial Highways 17, 41 and 60 that require upgrades to improve their safety and accessibility, and we've got municipalities large and small throughout the province, and certainly in my part of eastern Ontario—many smaller municipalities have now been waiting 12 to 15 months to hear from the Ontario government as to when the Harris government is going to put its money on the table to allow very important water and sewer upgrades, very important local road and bridge improvements, culture and recreation improvements.

It's time for the Ontario government to bring forward capital spending that's going to stimulate job creation in the province.

### MICRO ENTERPRISES

**Mr Joseph Spina (Brampton Centre):** Recently, Home Business Report magazine, in co-operation with the RBC Financial Group and Canada Post, conducted a survey of communities that recognize the importance of home-based businesses and other micro enterprises and that have proven to be the most supportive and helpful to this sector. This is the third year that a nationwide survey has sought to identify those communities that help small and micro enterprises to flourish.

Today I'm proud to say that my community of Brampton was one of three that were presented the Home-Based Business Friendly Community Award last Tuesday at a reception in Toronto. Brampton Mayor Susan Fennell was on hand to accept the award.

Part of the success of the entrepreneurial spirit is the Brampton Small Business Enterprise Centre, which partners with the city's economic development corporation and the Brampton Board of Trade to deliver to new and growing businesses the skills and resources that are needed to succeed.

Presenting the awards were Barbara Mowat, publisher of Home Business Report, Jim Rager, vice-chairman at RBC Financial Group, and Francine Conn, director of product development for small business at Canada Post.

I would ask all members of the Legislature to join me in congratulating the city of Brampton for creating a supportive environment for small and home-based businesses, the heart of our economy.

### LUMBER INDUSTRY

**Mr Michael Gravelle (Thunder Bay-Superior North):** It's important that all members of this Legislature understand the negative impact of the American imposition of a now-32% export duty on the softwood lumber industry in this province. It's particularly important, I believe, for the Premier and the Minister of Economic Development and Trade to recognize that unless it is successfully rolled back very soon, we may be seeing the shutdown of various sawmills in Ontario and the loss of thousands of jobs. Entire communities that rely on the industry as their major tax base could be truly threatened unless this issue is resolved very soon.

Having said that, I'm somewhat taken aback by our provincial government's rather low-key approach to this very serious problem. It's almost as if they do not grasp the ramifications of this unfair imposition of duties on this export-dependent industry. We have seen the immediate impact this has had on the industry in British Columbia, and while affected companies in Ontario have not as of yet reacted in a similar fashion, there is no question that they cannot afford to wait for a hoped-for favourable trade ruling by the WTO before they are forced to make some tough and clearly devastating decisions.

I've spoken to representatives of the softwood lumber industry, and they made it very clear to me that they need the strong support of the province as well as the federal government in order to win this trade dispute. Therefore, I want to ask the Premier and the Minister of Economic Development and Trade to more publicly support the industry in their fight against this unfair export duty. Let's not wait to speak up, Premier, until it is too late and the mills and the jobs are gone.

### CTV LOCAL PROGRAMMING

**Mr Tony Martin (Sault Ste Marie):** I rise today to bring to the attention of this House and people across this province the very unfair decision by CTV to consolidate news services in some larger centres, particularly in northern Ontario, where communities like Timmins and Sault Ste Marie and North Bay are losing their ability to tell their story both to themselves and to the world.

It was no more than two months ago when CTV went through our communities asking for support for the renewal of their licence, and many well-meaning charitable groups in those communities wrote letters of support, only to find out shortly thereafter that CTV in fact intended to withdraw those very important news collection services, the ability to have local community groups tell their story, educate the public and involve the community in their activities; that they were going to get rid of their studios, laying off workers and depleting their ability to be a participant in those communities in the ways we've come to expect and to depend on as we grow our economies, respond to the challenges of the world we live in today and tell our stories.

I'm asking you and others to please send your letters, cards and e-mails to the CRTC and tell them to stop CTV from doing this, from reneging, backing away from their commitment to our communities to have local programming, to have a presence of some significance in our communities.

Timmins, North Bay, the home of the Premier, my own community of Sault Ste Marie, even the council of Sudbury, where most of this activity is now going to be operating out of, have passed a resolution saying to CTV that they should stop this backing away from a commitment that they believe they have to us and our communities **and to make a decision to rule** against CTV.

1340

### SKEENA SEA CADETS

**Mr Doug Galt (Northumberland):** This weekend, the alumni of the Royal Canadian Sea Cadet Corps, Skeena, will gather in the town of Port Hope to celebrate the 60th anniversary of the founding of the corps. They will renew old friendships, celebrate at a dinner-dance and march in the Remembrance Day parade on November 11.

To commemorate the anniversary, alumni and present-day cadets will plant a Skeena Tree of Remembrance on the town parkland opposite the ship. The tree will be accepted by Port Hope Mayor Rick Austin, and engraved pavers will be presented to Cobourg's Mayor Peter Delanty to be laid in Cobourg's Victoria Square.

This outstanding youth organization, sponsored by the Navy League of Canada's Northumberland branch, has provided opportunities and development of good citizenship and leadership for over 3,000 young people in Northumberland county during the past 60 years. It is organizations such as this that teach young people the importance of community life and help in the development of personal values.

Last year I had the opportunity to attend the Skeena Dedication Day on Saturday, October 21, to mark the reopening of the hall. A memorial of a bronze plaque and a stained glass window were also presented, a reminder of the 15 crewmen who died serving their country in October 1944.

Please join me in acknowledging the efforts of the Royal Canadian Sea Cadet Corps, Skeena, and their six decades of achievements.

### INFRASTRUCTURE PROGRAM FUNDING

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I rise today to urge the government to put the political rhetoric aside and roll up its sleeves to work with the federal government to assist local municipalities across Ontario. Municipalities in my riding have sent a resolution to indicate that federal and provincial financial support for public infrastructure is essential.

Municipalities are calling on this government to stop the blame game and get to work. It is time to speed up the infrastructure funding process under the Canada-Ontario infrastructure program to provide a much-needed economic stimulus in the face of the current economic downturn.

The federal Minister of Industry, Brian Tobin, shared with the Association of Municipalities of Ontario the fact that Ontario is abysmally behind all other provinces in accessing federal monies already designated for infrastructure programs.

**In my riding, the township of Central Frontenac, Loyalist township, Frontenac management board and the township of Stirling-Rawdon** have all called for a co-operative effort between the federal and provincial governments to provide the much-needed capital dollars to municipalities across Ontario. It is time for this government to stop the finger-pointing, stop the blaming and stop dragging its feet and start working with the federal government for Ontario's working families.

### REMEMBRANCE DAY

**Mr Garfield Dunlop (Simcoe North):** This Sunday, November 11, people in communities from all across our province and our country will be celebrating Remembrance Day and acknowledging two minutes of silence for the hundreds of thousands of people who have given their lives for our great country. In fact, 66,000 men and women gave their lives in World War I and another 44,000 in World War II.

Many communities across our province have already started holding Remembrance Day celebrations with parades, banquets, services and the laying of the wreaths. For example, I was out twice on the weekend with Royal Canadian Legion Branch 316 in Waubauskene, and I want to acknowledge the hard work of President Robert Land and Father Carl Matthews of the St John's Roman Catholic Church, who put on a service yesterday in Waubauskene, attended by members of the armed forces of Base Borden, the Girl Guides, Brownies, Sparks, Boy Scouts, Cubs, Beavers, and pipes and drums organizations from across our riding as well.

I want to acknowledge that many small communities cannot hold their services on November 11, so they have to hold them early for the sake of allowing other people to attend the function. I appreciate having the opportunity to make this statement today.

### VISITORS

**The Speaker (Hon Gary Carr):** Just before we continue, I would like to inform the members that we have with us today in the Speaker's gallery a delegation from the Midwestern Legislative Conference led by Senator DiAnna Schimek from Nebraska and Senator John Hottinger from Minnesota. Please join me in welcoming our American friends.



## INTRODUCTION OF BILLS

### ONTARIANS WITH DISABILITIES ACT, 2001

#### LOI DE 2001 SUR LES PERSONNES HANDICAPÉES DE L'ONTARIO

Mr Jackson moved first reading of the following bill:

Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short explanation?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I'll reserve it for ministry statements.

## MOTIONS

### HOUSE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, November 5, Tuesday, November 6, and Wednesday, November 7, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those in opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic  
Amott, Ted  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Beaubien, Marcel  
Bountrogianni, Marie  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Caplan, David  
Clark, Brad  
Clement, Tony  
Colle, Mike  
Conway, Sean G.

Gerretsen, John  
Gilchrist, Steve  
Gill, Raminder  
Gravelle, Michael  
Harris, Michael D.  
Hastings, John  
Hodgson, Chris  
Hoy, Pat  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Klees, Frank  
Kwinter, Monte  
Lalonde, Jean-Marc

Mushinski, Marilyn  
Newman, Dan  
Parsons, Emile  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Ramsay, David  
Runciman, Robert W.  
Ruprecht, Tony  
Sampson, Rob  
Sergio, Mario  
Sorbara, Greg  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary

Cunningham, Dianne  
Curling, Alvin  
DeFaria, Carl  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Gait, Doug

Levac, David  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
McGuinty, Dalton  
McLeod, Lyn  
McMeekin, Ted  
Miller, Norm  
Munro, Julia

Stockwell, Chris  
Tilson, David  
Tsubouchi, David H.  
Tumbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles  
Kormos, Peter

Marchese, Rosario  
Martel, Shelley

Martin, Tony  
Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 73; the nays are six.

**The Speaker:** I declare the motion carried.

## VISITOR

**The Speaker (Hon Gary Carr):** Just before we begin statements, we have in the east members' gallery Mr Keith Norton, who was the member for Kingston and the Islands. Please join in welcoming our former colleague.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ONTARIO ECONOMY

**Hon Michael D. Harris (Premier):** The performance of our economy is important to Ontario families, it's important to this government and it's important to me.

On Friday, the job numbers for October showed that Ontario experienced a net loss of 2,900 jobs. While the unemployment rate in Ontario stayed the same, we are down some 28,000 jobs over the past few months, and the short-term trend is not positive.

Ontario families want their government to keep our economy strong and to create a climate that supports the creation of good, well-paying jobs. They know that a strong economy is the foundation for a strong province, because only a strong economy allows us to invest new dollars into priorities like health care and education and to protect our province's safety and security.

Earlier this year, the North American economy entered a period of slower growth. Beginning September 11, terrorist attacks have further weakened the economies of all nations. Unfortunately, Ontario is not immune to these developments.

Tomorrow, the Minister of Finance will present to the members of this House and to the people of Ontario the first detailed economic statement since those tragic events of September 11. Today, I will outline our government's intentions as we move forward.

As the minister will show tomorrow, the province's fiscal outlook for this year is lower than budgeted for last spring. However, because of prudent and conservative planning as well as contingency planning, we will be able to manage this year's lower revenues.

Unlike previous governments, however, we are always prudently planning into the future. Already we're thinking ahead, preparing for next year's budget, and as we do so it is becoming increasingly clear that Ontario will face significant fiscal challenges in 2002.

1400

Now, we could choose to abdicate our responsibility. We could choose to act as previous governments did, who threw prudence out the window, who spent recklessly and who left Ontario at the brink of bankruptcy. We could act like they did, but that could easily lead to the same financial mess that we inherited in 1995. As I said, we could do that, but I want to be abundantly clear today that we will not do that. Instead, we will continue to demonstrate the same resolve, the same determination, the same fiscal responsibility that Ontarians have witnessed now for the past nearly seven years.

Since 1995, we have brought a new approach to setting Ontario's priorities and managing our province's finances and economy. We cut taxes. We helped to create over 824,000 net new jobs. We balanced the provincial books three times in a row. We cut wasteful spending to allow us to reinvest in priorities like health care and classroom education.

These steps have benefited all Ontarians, and they are signs of strength in Ontario's fundamentals. But despite all this success, which has made us far better prepared to deal with an economic downturn than ever before, events around the world mean that we cannot afford to be complacent. Around the globe, western democracies are at war against terrorism. While it is our hope that this war will not be prolonged and that the North American economy will be able to quickly return to a cycle of growth, we must prepare for this period of uncertainty to be longer than originally expected. That is the prudent thing to do, and it is the right thing to do.

Our government's commitment to fiscal responsibility means that our spending can increase only if our revenues increase. A slower economy means slower growth in government revenues. As we prepare for an extended counterterrorism war, our government will ensure that we live within our means. It would be irresponsible today to count on revenue growth in 2002-03. It would be irresponsible to spend money we don't have. Previous governments did that; we will not.

In the coming weeks, we will continue to monitor our economy and our finances. Tomorrow's economic statement will provide the latest information on the state of the economy, and we will continue to keep Ontarians informed of further developments in the months before the next budget. We will continue to move forward with tough decisions to keep both government spending and the size of government under control. We will continue

to consult about how to keep government living within its means.

Tomorrow, the Minister of Finance will announce that pre-budget consultations for next year's budget begin immediately. These consultations will involve all ministries and all transfer partners. Given the challenges that Ontarians may face next year, we need to work with our partners to review and set priorities, to do better for less and to ensure that we are getting value for each and every dollar we spend.

Of course, preparing for next year's fiscal challenges is not made any easier by the refusal of the federal government to set the right priorities. Since 1995, we've made health care our number one spending priority. Without any help from the federal government, we have aggressively reformed our health care system. We have launched primary care reform. We have expanded community and home care, making important services available to people closer to their homes. We've opened up thousands of new long-term-care beds, the first in over a decade. We've started Telehealth Ontario, a 24-hour-a-day telephone service to provide free medical advice. We've reformed hospitals to move money away from bricks and mortar and toward front-line patient care. The list goes on and on and on.

Unfortunately, the federal government has not made health care one of their top priorities. Previous to 1993 and the election of the current Liberal government in Ottawa, Ottawa historically funded an 18% share of health care spending through the CHST transfers to the provinces. Since their health care cuts in the early 1990s, the federal government has cut that traditional historical funding level, resulting in a very significant federal funding shortfall. Since 1993, the federal government has increased their own spending substantially, yet they have continually failed to address their health care funding shortfall, the number one spending priority of Canadians. That federal funding shortfall has actually been picked up year after year for the past six years by your provincial government. The federal shortfall is now \$2 billion per year and growing.

For many years, provinces have called on the federal government to make up this shortfall and to provide an appropriate escalator to deal with the new costs so Canadians can enjoy the benefits of new technologies, new research, new therapies and an improved quality of life. This is not a partisan issue; this is a call from Canadians from coast to coast. Year after year, Premiers of all political stripes have called on the federal government to make up their funding shortfall, and now more than ever, a sustainable health system that can take care of people is absolutely necessary.

Unfortunately, we have not yet succeeded in getting the federal government to make health care their top priority. As a result, our government continues to pay for the federal shortfall dollar for dollar, day after day, week after week, month after month, year after year. Today I am calling on the federal government to use the opportunity of the federal budget in early December to set new



priorities by making up its health care funding shortfall and committing to an appropriate escalator.

The December federal budget must include a measured plan to return federal funding to its traditional 18% share. Without a commitment from Ottawa to fund its historical and fair share of health funding, like every other province in Canada, Ontario will no longer be able to make up the federal shortfall in next year's budget. If the federal government does not make health care a top funding priority in this year's pre-budget consultations, we will have to ask for input on how to make up the federal shortfall for the 2002-03 fiscal year and to preserve the sustainability of health care for Ontarians.

Ontario has faced difficult economic circumstances before, and we will again in the future. Recent terrorist acts have made the challenges ahead that much more difficult, but I want to reassure Ontario families that our government will not fail them. Although tougher times make the job that much more difficult, we are always looking to make the government more efficient. We will redouble our efforts to keep our economy strong and our province's finances in good shape, we will act to protect all the gains we have made in the past six years, and we will never allow the province's finances to deteriorate the way they were allowed to prior to 1995.

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#### ONTARIANS WITH DISABILITIES LEGISLATION

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** Today marks a very historical and proud day for the 1.6 million persons with disabilities who live in our province and a very proud day for our government.

All Ontarians should enjoy equal opportunity and the freedom to participate fully in the lives of their communities. Today we embark on a journey to a more inclusive Ontario with the introduction of the Ontarians with Disabilities Act, 2001. I might add, Mr Speaker, that in a very first for this assembly, the legislation is available in Braille, audiotape, electronic disc and large print.

I am joined today in the House by some very remarkable individuals and supporters who have shown me what we can do when we work together: Keith Norton, the chief commissioner of the Ontario Human Rights Commission; Carolyn Williams, Dean LaBute and Joyce Zuk of the Windsor advisory committee on disability issues; Ottawa ODAC member Barry McMahon; lawyer David Shannon of Thunder Bay; Sheila Jarvis, president of Bloorview MacMillan Children's Centre; Ray Cohen, of Abilities magazine; Barry Munro, from Canadian Spinal Research; Paralympian athlete Jeff Adams; Cliff Goodall, chair of the physically challenged committee for Burlington; Charlotte Gibson, president of the Easter Seal Society; Paul Rayner, from the Ontario March of Dimes; Thunder Bay Mayor Ken Boshcoff; the Ontario Association for the Deaf; Penny Hartin, from the Canadian

National Institute for the Blind; and the Ontario Association for Community Living.

Ontarians understand the need to work together to share the responsibility to change, and in doing so, to reach our goal of full citizenship for persons with disabilities. Persons with disabilities deserve the right to lead lives with dignity and quality, justifiably seeking the same rights to experience the same fullness of opportunity, experience and participation as all other members of our society. All around the province, our partners in the broader public and private sectors have been working to make their buildings, products and services more accessible to and more inclusive of persons with disabilities. They have been doing what is right, what makes sense.

The people of Ontario recognize, however, that more work needs to be done and that there is a strong need for change. Over the past few months, I have met with more than 100 individual disability organizations and additional individuals representing this community and the municipal, broader public and private sectors. I wanted to hear their voices, and I wanted to benefit from their expertise and their personal experiences.

In Ontario we are blessed with strong legislation such as the Ontario Human Rights Code. We have a wide range of government-funded programs and services in health care, children's treatment, respite care, research, development, transportation, special education, tax incentives, income and employment supports, and many more programs.

Yet this government knew that much, much more had to be done. Persons with disabilities want to be able to get into and around their communities safely: to go to their local library or recreational centre, to attend and participate in town council meetings, to go to the mall, to eat in a restaurant. They want the right to get to a job that nurtures their skills, to journey to the next community and be able to get around there. They want to live as independently as possible, to do the things so many people in society enjoy every single day.

Last week our government unveiled Independence and Opportunity: Ontario's Vision for Persons with Disabilities. The Vision, signed by the Premier and myself, will act as a visible and public reminder of the challenges we have undertaken. It is also a firm commitment based on what we have heard and what we have learned.

The proposed Ontarians with Disabilities Act represents the important legislative component of the framework that will achieve that vision. It would mandate the provincial government, municipalities and the broad public sector to plan for greater accessibility to their buildings and their services for persons with disabilities. It would establish the foundation for sustained and effective long-term partnerships. In particular, the knowledge, expertise and contributions of persons with disabilities would be called upon as never before in this province.

Passage of the bill would pave the way for the creation of the Accessibility Advisory Council of Ontario. I would

appoint the chair and members of its review body from the disabilities community. Similar accessibility advisory bodies would be required in all municipalities where there are 10,000 or more people. Several municipalities already have such committees, and the bill would expand them to every single corner of our province.

For the first time in Ontario, an act of this Legislature will entrench in law an Accessibility Directorate of Ontario. This would be created within the Ontario Ministry of Citizenship, and its job would be to oversee the day-to-day efforts required to fulfill the laws to help Ontarians with disabilities.

Chief among the directorate's tasks would be providing information, knowledge and support to all sectors; taking the lead in planning and policies that would increase accessibility; providing a strong oversight agency; monitoring compliance; establishing guidelines; and building alliances with the private sector. The directorate would work strategically with other ministries and stakeholders to make change happen and undertake a public education program to overcome attitudinal barriers in our province. The new Accessibility Advisory Council will begin and engage this important first phase of the legislation.

Several municipalities, as I have said, are already setting an example by bringing forward initiatives to increase accessibility within their current resources. I have seen, first-hand, success stories around the province and would like to acknowledge the leadership of communities like Windsor, under Mayor Mike Hurst, and Thunder Bay, under Mayor Ken Boshcoff. All Ontario municipalities affected by this bill will be held to the same high standard or even higher.

I want to emphasize how absolutely vital it is that persons with disabilities have a full and active voice in the changes we are setting forward today in legislation. My belief, as their minister, is that a policy or a law will work much better if the very people it affects are directly involved and are working with it on a daily basis. For the first time, disabled citizens will be driving the changes and reforms we create together in Ontario. This legislation does not just talk about persons with disabilities; it includes them as active participants.

Persons with disabilities understand the barriers they struggle with and confront on a daily basis. Their knowledge, expertise and experience are the singular, most important contributions to our understanding of these necessary reforms. Their involvement in the planning process outlined in the bill would ensure the government views activities through their disability lens.

For persons with disabilities, this legislation offers an unparalleled opportunity to make positive change happen in our province, not just now but long into the future. We are creating an alternative future filled with anticipation, with hope and with change. More importantly, it will be filled with dignity for all Ontarians, understanding the needs of our citizens with different abilities.

Many of us will be able to leave this Legislature today without giving a thought to how easy it is for us. There

must come a day when access here and everywhere in our province is just as easy for persons with disabilities. This legislation is a major step forward in achieving that vision and for gaining full citizenship for all our citizens.

**Mr Dalton McGuinty (Leader of the Opposition):** I want to congratulate the minister and the government for getting religion on this issue. It's something we've been working actively on for some six years now. The fact of the matter is that it was on May 24, 1995, that the Premier sent a letter to the disabled community specifically committing to enacting an Ontarians with Disabilities Act in his first term of office, and that was some six and a half years ago. We are pleased that the government, as I say, has finally found religion.

There are some people who should be thanked with respect to this: first of all, David Lepofsky and the Ontarians with Disabilities Act Committee, who have been absolutely tireless in making this government accountable for their broken promise.

In addition, I am very proud of the efforts made by some specific members in my own caucus. Ernie Parsons, Steve Peters and Dwight Duncan have kept the government's feet to the fire on this matter. They've had extensive consultations. They put a number of questions to the ministers involved. We put forward resolutions.

We haven't had an opportunity to review the legislation, but we look specifically to ensure that it reflects the 11 principles unanimously supported by the members of this Legislature. We of course expect that the committee will travel and enable the 1.6 million strong membership of the disabled community to have a full opportunity to comment on the legislation.

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## ONTARIO ECONOMY

**Mr Dalton McGuinty (Leader of the Opposition):** On the matter of the Premier's statement, perhaps more aptly described as the Premier's lament, once again he plays the blame game when it comes to the federal government. He says that if only the federal government would send the province more money, then things would be better off here. But there's a new component to the lament this time. According to the Premier, the failings in our economic circumstances here are entirely due to the acts of terrorists on September 11.

Well, it is time for the Premier and this government to stare into the face of their own economic failings. We had the best of times in Ontario. We had the very best of times, and this government failed to anticipate the inevitable downturn. Everybody knows there is something known as the economic cycle. We knew that at some point the bubble would burst. We knew that at some point revenues would go down. We knew that at some point expenditures might go up when people lost their jobs. This government failed to anticipate that and it failed to secure our future.

It's important to keep in mind that before September 11, we had the slowest growth in the country right here in



Ontario. We were at the greatest risk of running a deficit right here in Ontario. We were experiencing the largest job losses on a per capita basis right here in Ontario.

Now, what does this government propose to do, given that they're concerned about the shortfall in revenues? What does the government propose to do in the face of that? The government says they are going to spend another \$2 billion in corporate tax cuts. The government says they are going to spend half a billion dollars on private schools. And the government has spent so far a quarter-billion dollars on partisan political advertising.

So instead of this tired, listless lament to the federal government to send more money, I would ask the Premier to keep in mind what it is that he has in mind for Ontarians and instead to act responsibly, to cancel the corporate tax cuts, to stop spending money on partisan advertising, and to stop sending money over to private schools.

I wish this government would make up its mind when it comes to advice that it offers the federal government. At the time of the last budget, the position taken by this government was that the federal government should proceed with another \$7 billion in corporate tax cuts. Now, either you want them to cut corporate taxes further or you want them not to cut taxes and to send more money to the provinces so that we could meet some of our health care needs. It's up to this government to get their act together.

In the interim, I want to tell Ontarians that we have put forward a positive, substantive plan. It involves going ahead with investment in infrastructure. It doesn't cost the budget one extra cent. It's a matter of investing dollars that this government has already committed but which it continues to stockpile for electoral purposes. These are not usual times, and the responsible thing to do now is to implement an Ontario security plan.

#### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Howard Hampton (Kenora-Rainy River):** I want to refer first to the proposed Ontarians with Disabilities Act, 2001. In responding, I want to congratulate all of those individuals and all of those groups who have worked very hard to push the government forward. I include and mention, of course, all of those people who have worked with David Lepofsky.

I want to point out, though, that in the few brief moments that we've had to look at the act, there appear to be some glaring holes in it. For example, it would appear as if private sector operators will not be covered by this act in any mandatory way. It would appear, in fact, that in terms of requiring buildings which are not now accessible to become accessible, there is nothing in the act. It would appear that all that municipalities have to do is to prepare a plan. If they prepare a plan, then technically they comply with the act. There is nothing in the act which says, "You must now do this and this"; just, "Prepare a plan."

I ask, then, what does the disability community do? There are to be these local advisory committees. I put it in the place of the community I come from. The disabled community there, I take it, is to work through that committee and to lobby the multinational employer to make their premises more accessible, to lobby an international hotel chain to make their premises more accessible. But if they are unsuccessful, it would seem that all they can do is to go back and file a complaint with the Ontario Human Rights Commission. The commission has already indicated they have neither the money nor the staff to follow through on those investigations.

At the end of reading this, I'm left to conclude that what is really in this presentation today is about one third substance and two thirds media spin. Now, it may be that members of the disabled community will say it is better to take this small loaf, because they may believe that's as much as they're going to get under this current government. But I have to say, I don't believe that this act meets either with the resolution that was passed in this Legislature or meets with the promises that were made by this government back in 1995.

We need to look at the details in this bill for some time. We need extensive public hearings so that there is a clear understanding out there of the very definite limitations in this bill and the committees and structures of committees that flow from it.

#### ONTARIO ECONOMY

**Mr Howard Hampton (Kenora-Rainy River):** I want to say just a few words about the government's lead-in to its financial statement. The Premier said, "It is becoming increasingly clear that Ontario will face significant financial challenges in 2002." For those who are not expert in media spin, that means a deficit. It then says that this is a government that has cut taxes. In fact, let's recognize that the mantra of this government has been that if you cut corporate taxes and you cut taxes for the well-off, it will create jobs. Well, Ontario has lost 29,000 jobs since May of this year. You would think, after all of those corporate tax cuts and all of those tax cuts for the well-off, that it would be virtually impossible to have a loss of jobs. There must be something wrong with the mantra.

The statement also talks about how the government has been responsible. People across Ontario need to know that from 1995 until last year, the government was actually borrowing money to finance its tax cuts. In 1996, in 1997, in 1998 and even into 1999, this is a government that was borrowing money to finance tax cuts.

I just want to point out that the government should have used these good economic times to set aside money for health care and education. It's signalling today that it hasn't, and we're in trouble because of it.

## CORRECTION OF RECORD

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: I rise for an opportunity to correct my record.

On Thursday, November 1, here in this Legislature, during the course of the third reading debate around Bill 30, I made considerable comments that were critical of the leader of the official opposition with respect to his treatment of the member for Ottawa-Vanier. I characterized him as having disregard for the people of that riding. Among other things, I indicated that the conduct which resulted in Ms Boyer's facing a charge, which resulted in a conditional discharge—no conviction, no criminal record—took place before she was elected. In fact, it took place after she was elected but before she began sitting.

1430

## ORAL QUESTIONS

## HOSPITAL FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the associate minister of health. Minister, we've just been informed that 600 expectant mothers who had planned to deliver their babies at the Queensway Carleton Hospital in Ottawa have been told that they will have to go elsewhere. There are three hospitals in Ottawa capable of accommodating deliveries. One is the Queensway Carleton. The other two, the Ottawa Hospital and the Montfort Hospital, have indicated they have no room to accommodate the 600 expectant mothers.

Where should these mothers go to have their babies?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Let me be very clear: when we talk about hospitals, no government has invested more in hospitals in the province of Ontario than this government.

Let me say that the Queensway Carleton Hospital had a new investment of \$12.8 million just in June of this year. We believe that services should be provided in the hospitals that best meet the needs of the people of Ontario and the area that the hospitals represent.

**Mr McGuinty:** I don't know what that was, but it was not an answer to my question. I'll ask it again on behalf of 600 expectant mothers in Ottawa. They have just been informed that there is no room for them at the Queensway Carleton Hospital. We have three hospitals in Ottawa which allow for the delivery of babies. The Ottawa Hospital and the Montfort Hospital are saying they cannot cope with these 600 mothers who are being kicked out of the Queensway Carleton Hospital.

I have a question to you on behalf of those 600 expectant mothers: where are they going to be able to deliver their babies?

**Hon Mrs Johns:** As everyone knows, babies are delivered in the province of Ontario as close to home as they possibly can be with the services that are there.

Let me say that the Queensway Carleton delivered 2,100 babies last year. It's expected that 2,100 will be delivered again this year. No budgets have been cut at the Queensway hospital and in fact they've had an increase of \$12.8 million.

We know that this is an essential service. We believe that we have funded the hospital so that they can provide these services for the women of Ottawa and we expect them to do it.

**Mr McGuinty:** On October 25, the chief of the department of obstetrics and gynecology at the Queensway Carleton Hospital sent a letter to the minister, and they say very specifically in here, "We feel strongly that these cuts jeopardize the health of women in our community." They go on to say, "There must be an immediate return to a commitment to perform 2,700 births a year" at this hospital.

The question I have again for you, Madam Minister, and that you have failed to answer in any satisfactory way whatsoever—600 expectant mothers are being shut out of hospitals in Ottawa—what are you going to do to ensure that these mothers in my community can deliver their babies in an Ottawa hospital?

**Hon Mrs Johns:** I need to reiterate again that 2,100 deliveries were in the budget for last year and were paid for by the Ministry of Health. We have at least that many in the budget again this year and we expect that to work within the realm. There's a \$12.8-million increase in the budget. Let me say that the minister will not approve a health care budget from a hospital if it doesn't provide essential services such as the ones we're talking about today.

I can tell you the women of Ottawa will be taken care of. There will be a place for them to have babies in their area as close to home as possible.

## ACADEMIC TESTING

**Mr Dalton McGuinty (Leader of the Opposition):** This question is to the Minister of Education. You will be aware that the latest standardized test results were made public last week and they continue to be a source of tremendous disappointment for parents and our families generally. Madam Minister, you have yet to assume responsibility for these test results. You have yet to say that is a direct result of your government's failings when it comes to education policy that have contributed to these results.

Our students are short of textbooks, our class sizes are too big, particularly in the early grades, you have conducted an ongoing war with teachers and you have this terrible misplaced sense of priorities where you now want to invest \$500 million in our private schools.

Will you now admit that these poor results, these poor showings in our standardized tests are not the failing of our teachers or our parents or our students or the people



who write the tests or the people who conduct the tests; they are the direct result of your government's failings?

**Hon Janet Ecker (Minister of Education, Government House Leader):** Let's be very clear here. You're the party that said there wasn't a problem in education. You're the party that said we didn't need to change the curriculum because everything was fine. You said we didn't need testing because everything was fine. You said we didn't need to put in place specifically targeted strategies to make sure that there was accountability for these results.

Everything is not fine. The reason we changed the curriculum, the reason we put tests in place, the reason we are doing all of these things is because we know that our students were not getting what they needed. The changes we're putting in place are starting to measure that need. They are starting to show tangible improvements.

If he wants to say that the teachers and parents and students who are working so hard to improve student learning are not seeing tangible improvements, then he should stand up and say that. But there are tangible improvements. Do we need to do more? Absolutely, and that's why we brought in the Ontario early reading strategy for this year. Did they support—

**The Speaker (Hon Gary Carr):** I'm afraid the time is up, Minister. Supplementary?

**Mr McGuinty:** I know this is painful for you to have to stare into, Madam Minister, but it has been six years, and nearly half of our children in public education are failing to meet the basic standards in reading, writing and mathematics. That's your legacy, Madam Minister. That's what you stand for. That's what you've accomplished after six years.

Do you know what I wish you'd do, Madam Minister? I wish you'd do what the Minister of Education did in England. He stood up and said, "I will get you substantive improvement in our standardized tests or I will resign." He said he would not blame the teachers, he would not blame the parents, he would not blame the school board trustee equivalents over there, and he wouldn't blame the kids. He said he would get the results or he would resign.

Madam Minister, why is it that after six years of your government's reforms to public education, our children still aren't passing the standardized tests and you continue to refuse to admit that the fault lies with you and your government?

**Hon Mrs Ecker:** The new curriculum came in in 1998. Now maybe the Liberal opposition, who love to criticize this government and say we do too much, too fast, are demanding of our teachers that overnight they should be able to correct 20 years of neglect, 20 years of no accountability, 20 years of lack of standards in our education system.

Well, this government recognizes that you first need to measure. We're not afraid to do that. Secondly, we also recognize that you need to put in place strategies which will fix this: the early reading strategy; the investments in

early literacy; the training for teachers; the new resources for kids; the over \$100 million invested in smaller class size. We on this side of the House did this because we knew there was a problem. We're taking steps to fix it.

The honourable member's head-in-the-sand approach that they took for years, and now demanding that somehow or other by waving a magic wand he's going to have the solution, is not doing a good service to our parents, our teachers—

**The Speaker:** Order. The minister's time is up. Final supplementary.

**Mr McGuinty:** Madam Minister, I say again, it's been six years. Sure, you brought us the tests, but what we want are the results. We're after results.

Check out the latest poll results published in the National Post global release which came out just a couple of weeks ago. Do you know what it says? This is particularly telling. It says the only province in which the public has made the assessment that the government's policies are failing in education—the only province where they've made that assessment—is right here in Ontario. People are on to you now, Madam Minister. They know that a failing, when it comes to public education and our children's inability to achieve success when it comes to our standardized tests, lies with your government and your policies.

We have an alternative. I put it forward some many months ago now. Let's have smaller classes for our children in the early years. Let's bring into place lighthouse schools. Let's ensure that our children have access to other schools, not just the one in their immediate community. There is a positive alternative, Madam Minister. My question to you is, why won't you implement that positive alternative?

**Hon Mrs Ecker:** If the honourable member really thinks that somehow going around the province and saying, "Gee, this is a lighthouse school. Let's have 20 lighthouse schools"—there are over 4,000 schools in this province. If he thinks that just waving that magic Liberal wand is going to make all of those schools succeed, he is wrong. What it takes are investments, which we've made. What it takes are high standards, which this government put in place and his party said we didn't need. What it takes is more training for teachers, which we are putting in place. What it takes is better supports for parents and students, which we are putting in place.

That party said there wasn't a problem; we had the courage to say there was. We've got the courage to measure it, and we've got the courage to admit that we are fixing the problem that his party and the NDP allowed to develop in our schools. The parents and the teachers and the students are producing tangible results. Look at the results—

*Interjections.*

**The Speaker:** Order. The minister's time is up.

1440

## ONTARIO ECONOMY

**Mr Howard Hampton (Kenora-Rainy River):** I have a question to the Minister of Finance. We understand that you intend to send out one-time-only \$100 cheques to 222,000 low-income families with children in the province, apparently to help them purchase Christmas presents and winter clothes. We're puzzled, though, because your plan would leave out the lowest-income families in the province, those families that are forced to rely on social assistance or the Ontario disability support program. If the strategy of your plan is to help the poorest families with children purchase winter clothes and perhaps buy their children a Christmas present, why would you exclude the very poorest families in the province?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The member speculates about what may or may not be the contents of the fall economic statement, which will be delivered tomorrow. We've certainly heard, during the course of consultations in the past couple of weeks, about the impacts on tourism and the restaurant sector in particular and also in the retail sector and on workers in those sectors as a result not only of the economic slowdown this year but also of the effects of September 11. There has been some recovery from the economic consequences of the tragedies of September 11, but that is only some recovery to date. These are issues that have been raised with me as Minister of Finance during the course of the past couple of weeks.

**Mr Hampton:** I asked why the Minister of Finance would exclude the very poorest families with children in the province, and he didn't answer. So let me ask him: since you've become Minister of Finance, 29,000 people in this province have lost their jobs. They have no jobs at all. Why would you exclude them? You talk about this as if it's some sort of stimulative package for the economy. But a \$100 cheque to some 200,000 families has hardly any stimulative impact at all. Maybe you should try to explain this a bit better. If you're going to exclude people who have recently become unemployed and people who have to rely on the Ontario disability support program or on social assistance, this doesn't make sense, and as a stimulative package it will cause nary a dint. What's your real strategy here?

**Hon Mr Flaherty:** Again, the member speculates about the contents of the fall economic statement, which will be delivered tomorrow. I can tell you that we are very concerned about job losses in Ontario. When a family breadwinner loses a job, or both parents are working and someone loses a job, it has quite difficult consequences for that family, for them trying to maintain mortgage payments or pay their rent, make car payments, keep food on the table and buy clothing. These are difficult times in the western world. There is an economic slowdown. The economic effects in Ontario have been significant with respect to the tragedies of September 11.

I'm sure none of us in this place would want to make light of the effects of those realities on families in Ontario. It is important that we be conscious of that and make some attempt to address those issues.

**Mr Hampton:** If you're really interested in addressing those issues, then I suggest you take the \$2.5 billion corporate tax cut, your gift to your corporate friends, who will only get it if they're already making a profit, put it in the bank and provide a reduction in the sales tax for the 11 million people across Ontario who need some help. If you did that, you'd be helping families who have to rely on ODSP, families who have to rely on social assistance, families who have lost a job and families who have to work for the minimum wage. You'd be helping a lot of other modest- and low-income families who are also facing a difficult time, plus you'd be helping retailers. Your strategy doesn't help the poorest families, doesn't help the unemployed and doesn't stimulate the economy either. I suggest to you that all it does is provide you with a little bit of public relations cover while you funnel off another \$2.5 billion to your corporate friends. If you really want to help people, reduce the sales tax.

**Hon Mr Flaherty:** The member opposite again raises the question of reducing the sales tax. I must say that with respect to tax cuts, I agree with Paul Martin. With respect to reducing the GST federally and the RST provincially, I also agree with the federal minister, and we've talked about this. All you get is a short-term hit, quite frankly. You accelerate spending. You pull it ahead by a month or two. It has no long-term positive gain for the economy.

On this side of the House—and I say this with respect to the member opposite—we're interested in long-term, sustainable economic growth and the creation of permanent jobs in Ontario. That's what grows the economy. That's what helps people. That's what helps retailers in Ontario, not short-term, knee-jerk actions.

**The Speaker (Hon Gary Carr):** New question, the leader of the third party.

**Mr Hampton:** To the Minister of Finance: I'm not surprised that you and the federal Liberals in Ottawa agree on most of these issues. You've been singing the same mantra for the last five years now, "Tax cuts create jobs." But we're seeing now, as the recession hits, that tax cuts aren't creating jobs, and you need to provide some relief to all those families out there that will give them an enticement to get back into the economy.

I want to ask you this: we saw that Quebec brought forward a strategy to provide municipalities with some money so they can begin an ambitious project of fast-forwarding construction projects and other infrastructure projects. We've asked you to do the same here. Is that something you're going to announce tomorrow? Are you prepared to bring forward some SuperBuild funding quickly, so that municipalities can begin those projects and put people back to work?

**Hon Mr Flaherty:** As the member opposite knows, I can't talk today about what will be in the economic



statement tomorrow. But I can say to the member opposite that since 1999, more than \$8 billion worth of construction projects have been caused to happen in Ontario through SuperBuild. It's a remarkable story. As you travel around Ontario today, at our colleges, at our universities, at our hospital sites you see all this construction underway now. It's the future of Ontario, this infrastructure that's happening right now. Are there going to be more announcements? You bet there are, in the next 30 days with respect to OSTAR and culture and recreation.

**Mr Hampton:** Minister, you may hope that by repeating that story, some people will believe it, but in fact SuperBuild is not building anything across this province. What you see in community after community is a hospital that is half built, the community trying to figure out, "Where do we get the money to cover the construction deficit?" and your government nowhere to be seen.

We've also asked you to indicate that you're not going to sell off our electricity system and create price increases and less stability there. We've also asked you if you would come forward with a readjustment fund for communities that have been hard hit by layoffs or are being hard hit by the recession. We ask you frankly to take an example from Quebec, which announced that through their own variety of SuperBuild they're going to construct 22,000 new child care spaces and 13,000 new affordable housing units—and renovate 27,000 older ones—and provide the lowest-paid people in the province with a \$250-million sales tax credit, which wouldn't be a bad idea here, except we don't have a sales tax credit in Ontario. Would you consider any of those options as a way of helping modest- and lower-income families and Ontario industries deal with the recession rather than just giving another \$2.5 billion in corporate tax cuts?

**Hon Mr Flaherty:** I'm sure the member opposite knows that we consider many opinions. Many options are brought forward to us with respect to budgeting and fall economic statements. There are many ideas out there, and that's why we meet and consult and listen to the various ideas.

But the concern we have is with long-term economic growth built on a firm foundation in the province of Ontario. We're fortunate now we have that firm foundation as a result of the difficult decisions that have been made over the course of the past six years. But you can't exchange this program or that program for low, competitive taxes, for prudent fiscal planning, for three balanced budgets in a row. That's what creates the firm foundation that we can build on in the future in our vision of Ontario.

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#### HOSPITAL FUNDING

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the associate minister of health. Minister, your ministry has justified the hatchet job that's taking

place in London, saying that this is what the experts have recommended, but one thing that you've never done is release the recommendations that led up to this decision.

I have been able to secure a copy of the pediatrics cluster report, under scoping recommendations, and on page 4 of that it says that the children's hospital deserves continued support as a unique cost-effective tertiary program of the LHSC and an essential member of the academic community. They go on to say that limiting care in London will compromise the health of the sickest and most vulnerable children. To me, that doesn't sound like a mandate to slash children's programs at LHSC.

Minister, this is what the experts are truly saying, the experts that you and your ministry constantly keep referring to, but these experts are singing a different tune. Why are you allowing the opposite to happen and compromising the sickest and most vulnerable children in southwestern Ontario?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I think I need to be very clear today that this side of the House is concerned about patients. They're concerned about the kids and their going to the hospital and having great services when they get to the hospital. That's the concern on this side, not some political agenda that's happening over there, but a true concern for the kids of London and surrounding areas. And that's what we're doing. We're working with the London Health Sciences Centre to ensure that they provide top-quality services for the people of our area.

**Mr Peters:** Talk about top-quality services and recommendations and doing what's best for patients, this is what the cluster group recommended. They recommended that two programs be cut. They recommended pediatric burn and rheumatology be cut. Somehow it leaves this cluster group and it goes to the steering committee, and then at the steering committee these recommendations aren't endorsed; the recommendations change. All of a sudden now we're seeing scoped out not only pediatric burns and rheumatology, but those two plus pediatric major facial surgery and pediatric cardiology surgery.

Minister, how does it change? How does it go from the experts recommending this in their template report to going to the steering committee, the executive leadership team to the hospital, and ultimately to the board of directors? How do they change? How do recommendations change?

Minister, again, why, why, why are you allowing this program to be discontinued? And this isn't political. This is for kids; this is for patients. You're not listening. Your members aren't listening. Why won't you stand up for the kids in southwestern Ontario, and why don't you start asking some questions about why we have two conflicting reports that make a decision in the hospital?

**Hon Mrs Johns:** The member opposite can scream as much as he wants at me, but the bottom line is we have to be concerned about children in southwestern Ontario. My children could be going there tomorrow, anybody's chil-

dren in southwestern Ontario could be going there tomorrow. We have to have the best services for them. As a parent of children who may go there, I want to know that when I send my children to that hospital, they're getting excellence that they could get at any children's hospital across the province.

It so happens, in these two cases, they're not getting those services, and we need to do better as politicians and as people who are in charge of taking care of the children of the province. It's the intention of this side to ensure that the best services are offered, or we move children to where the services are the best, because the children are our future in the province of Ontario.

#### EMERGENCY PREPAREDNESS

**Mrs Julia Munro (York North):** My question is for the Solicitor General. Last week our government made our antiterrorism and emergency measures announcements. These announcements were made following province-wide consultations and an unprecedented review of existing government policies.

As we all heard in this House last week, the opposition felt that the brave women and men who make up Ontario's firefighters had been left out. Minister, please clarify for all members of this House and all Ontarians how our plan will benefit firefighters, thereby keeping us all safe.

**Hon David Turnbull (Solicitor General):** I'd like to thank the member for York North for this question. The government certainly recognizes the value of the work of firefighters.

On September 11, hundreds of firefighters were entering the burning buildings in New York as other people were rushing out. They are our first responders and, indeed, last week we responded to their needs.

Firefighters will benefit from \$1 million worth of commitment for equipment to deal effectively with chemical, biological or radioactive crises, and \$2.5 million annual funding for training in urban search and rescue, chemical-biological-radiological-nuclear response and hazardous material handling; as well as that, \$600,000 to work with the owners and operators of large buildings to develop evacuation procedures. These new measures will benefit firefighters and will benefit all Ontarians.

**Mrs Munro:** Minister, you and your ministry have been working very hard to ensure Ontario and Ontarians are safe. How do we compare to the rest of the country in terms of announcements and commitment to safety?

**Hon Mr Turnbull:** In Saturday's National Post there was actually a review of all of the arrangements across the country in the various provinces, and Ontario is clearly leading the pack. We were the only province to have a formal anti-terrorism plan prior to September 11. We're one of only two provinces that have a formal bioterrorism plan. We're the first province to commit significant funding to emergency preparedness. We have committed over \$20 million for such things as doubling the budget of

Emergency Measures Ontario; \$3.5 million for an anti-terrorism unit; \$2.5 million to enhance intelligence gathering; and \$4.5 million for a provincial emergency response team.

We are committed to ensuring that Ontario remains one of the safest places in the world to raise a family and to live.

#### ENVIRONMENTAL PROTECTION

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of the Environment. Minister, you will be aware that today the Sierra Legal Defence Fund released a report called Ontario, Yours to Pollute. The report stated that polluters broke Ontario water regulations nearly 10,000 times between 1996 and 1999, but only 11 of the facilities dumping toxic and other harmful chemicals into waterways were charged. It goes on to say that your ministry shows that there were 9,906 waste water violations in four years, starting with 1996 to 1999. It finds, among other things, that big Ontario companies routinely produce effluent so contaminated with dangerous chemicals that it kills wildlife exposed to it; that Darlington nuclear station had 58 effluent samples that killed test animals; Pickering, 19. It's a condemning record.

When is your government going to stop playing footsie with the major polluters in this province and start prosecuting all of those who are in violation of our laws?

**Hon Elizabeth Witmer (Minister of the Environment):** Our government is committed to very strong enforcement. We know it is the backbone of our efforts to protect our environment and also human health. We did pass legislation in November 2000. It was called the Toughest Environmental Penalties Act. I'm very pleased to say that our track record has improved tremendously. We have a SWAT team in place that is fully deployed.

I'd just like to share with you some of the highlights and the improvements that have been made. Total fines have increased by \$1 million, or 118%, in the first half of 2001. Fines issued in 2000 cost the polluting industry more than \$3 million, more than a 75% increase from 1999. Investigators have laid 23% more charges in the first six months of 2001. The number of charges laid in 2000 increased by 48% from 1999.

The member can surely see that our government takes enforcement very seriously. We have introduced legislation. We have hired more—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up.

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**Mr Bradley:** The minister's answer is like saying there were 1,000 people who went through a red light, you prosecuted one out of the 1,000 and now you're prosecuting 10 out of the 1,000. It's a huge percentage increase, so we should be satisfied. The report speaks for itself.

But there's a second issue that is equally important to the results of this report and that is the fact that people in



Ontario and organizations have to pay money to receive the information from your ministry. In fact, the Ontario Ministry of the Environment tried to block the Sierra Legal Defence Fund from receiving this information by charging thousands of dollars to obtain what should be public information. Fortunately, the Information and Privacy Commissioner ruled against the Harris government on this and you were forced to give the information.

Minister, why did you try to prevent the Sierra Legal Defence Fund from obtaining this information by putting in place many financial penalties; and second, will you now undertake to end the habit of trying to block information coming forward into the public domain from your ministry?

**Hon Mrs Witmer:** We believe that it is in the public interest to share information with the public. Recently there have been steps taken in order that we can commit to provide the public with information about companies that are out of compliance with environmental laws. We now publish this information on a Web site and information about non-compliant facilities is available. We believe this is a significant improvement. In fact, I can remember that when I made the announcement about the fact we were going to share this information about some air quality emissions there was disapproval from the opposition, and I can't understand why, because this is the very question that you're asking me today.

#### FRANCHISE BUSINESSES

**Mr Wayne Wettlaufer (Kitchener Centre):** I have a question for the Minister of Consumer and Business Services. I hope you're aware that we've got a problem in Ontario with Grand and Toy and their franchise stores. Grand and Toy has decided to terminate at the end of this year their franchise agreements affecting 23 franchise operators throughout the province. One of these franchise operators is in my riding. This affects the investment that these franchise operators have made in their stores. It affects them considerably. It affects their future financial wherewithal.

I have a franchisor in my riding who would never believe in operating this way. They're called M&M Meat Shops. They're the nation's best franchisor. I was wondering if you could use them as an example. I wonder if you're aware of the situation involving Grand and Toy. If you are, what are you doing about it, and can the franchise act offer any assistance?

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** This is an important issue to many members of the Legislature. Mr O'Toole and Mr Tascona also raised this issue with me weeks and months ago when it first arose.

I feel very much sorry for the Grand and Toy franchisees who had this sprung on them as a great surprise to them. They have taken an action through a class action suit, and although many of them entered into contracts which were made prior to the passing of the franchise act, that act still allows them to use provisions

of it to include it as part of their suit, and they've done that in their statement of claim.

**Mr Wettlaufer:** I wasn't able to hear all of the answer because of the heckling on the other side, but I would like to ask the minister if there is not a mandatory dispute resolution mechanism provided in the Arthur Wishart Act, and if not, why not? Why would there not be any dispute resolution mechanism in the legislation, and what other options would the franchisees have?

**Hon Mr Sterling:** The Arthur Wishart Act, of course, was passed about two years ago. At that time, there was not included mandatory arbitration. But in our general civil litigation process there is the option for the Attorney General to demand that a mediation process take place. I understand that is the case with regard to this lawsuit, and in fact the franchisor and the franchisees are going through a mediation process right now.

The legislation we passed two years ago was the first legislation to protect franchisees in terms of dealing with unscrupulous franchisors. We don't know what the total effect of that legislation is. This is a good test of that particular act. If it proves not to be enough, we'll bring it back and change it.

#### ENVIRONMENTAL PROTECTION

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Minister of the Environment. Minister, despite Walkerton and despite perhaps hundreds of violations of industrial lethal wastes in our water, including, may I add, your own nuclear and coal-fired plants, for the year 2001 you have laid charges against exactly three companies out of compliance. Incredibly, you say charging polluters doesn't work. Your own staff said taking a company to court doesn't clean up the problem. The rest of us know that's exactly what does work.

A year and a half ago, in a leaked cabinet submission your senior staff asked for SWAT teams to tackle this problem. They asked you to send the teams after 79 industrial companies that were out of compliance for over two years for poisoning our drinking water supplies. Minister, you didn't do it. Why not?

**Hon Elizabeth Witmer (Minister of the Environment):** We are very committed to protecting the environment and human health in this province. We have demonstrated that we have taken some very significant steps in order to ensure that enforcement is the backbone of everything that is done in this province in order that we can protect the environment and protect human health.

I would just remind you of what has been accomplished, particularly in the last couple of years. We simply have to take a look at the new legislation that has been passed that ensures we will have the toughest environmental penalties in this province. The maximum fine for a corporation's first offence has increased from \$1 million a day to \$6 million a day. The maximum fine for an individual's first offence has increased from \$100,000 a day to \$4 million a day, and the jail terms

have increased from two years to five years. Our government is making sure that Ontario becomes less and less hospitable to polluters.

**Ms Churley:** You increased the fines, but now you say you won't prosecute. Minister, let me point out to you that we're talking about poisoning the water we drink here. The NDP government used to publish the information about this; your government hides it. You know the public has a right to know what's going on. It is their water and, despite orders from the freedom of information commissioner, you are still trying to hide this important public health information.

The Sierra Legal Defence Fund filed yet again a freedom-of-information request for your 2000 data on waste water violations. Once again, you are not complying. It is now overdue and, once again, they're being forced to appeal. Minister, I am asking you: will you table the 2000 data on waste water violations today in this House?

**Hon Mrs Witmer:** I have shared with this House on several occasions the fact that we are now making information available to the public regarding companies that are out of compliance.

I would just hearken back to the statements that were made by the member in the original question. The member knows full well that when it comes to activities of enforcement, to the process and to investigation, that is arm's length. However, I can assure you that our government has increased the number of investigators in place. We have increased the orders issued. We have increased the fines that have been levied, and we have taken very rigorous steps in order to ensure that this province does take every measure possible to make sure that those who pollute are fined.

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### HOSPITAL FUNDING

**Mr Dominic Agostino (Hamilton East):** My question is to the associate minister of health. On Friday, the Hamilton Health Sciences Corp, which runs the Chedoke-McMaster, the General and Henderson in Hamilton, announced the closure of 62 acute care beds permanently and four more on a temporary basis. They sent layoff notices to 30 registered practical nurses. This cut represents almost 10% of the acute care beds in that particular system. This hospital, through great efforts, has tried to cut costs, as directed by this government, but with their best efforts they are still going to run a deficit of maybe up to \$12 million. This particular move is going to save \$3 million. The reason they have to do this is clear: you're not giving them enough money. There's a problem in funding at the hospital level, and all this is going to do is continue to add to the backlog we have in emergency departments, in redirects, in people waiting for beds.

Minister, can you stand up and justify how you think it is acceptable in our health care system today to have 62

acute care beds in Hamilton shut down because of your moves and your cuts?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I'd like to thank the member opposite for the question, but I think the member understands that's not quite the way it truly is. When the government made some decisions a number of years ago as a result of the health restructuring commission, it was decided that there were too many acute beds in Hamilton and that there was a need to have more long-term-care facilities and some rehabilitation beds.

I'm happy to report that those beds are up and running in the Hamilton area. We have 20 rehabilitation beds that are all ready to go and they have been funded through the Ministry of Health and Long-Term Care. We also have 248 long-term-care beds up and running. So you can see there are more beds but they're in different locations, because the goal of this side of the House is to make sure that there are integrated health services available for the population at every stage and that their health care needs are met: another wonderful thing done by the Mike Harris government.

**Mr Agostino:** Minister, you must be the only person in the world who believes an announcement of closing 62 acute care beds is good news. It is unbelievable.

The long-term-care beds we need are not a gift, the rehab beds we need are not a gift you're giving us, and I'm not going to stand here and thank you for that. But the 62 acute care beds that are being cut are going to cause a problem in our health care system. I can't believe that as health minister in Ontario you would stand up and say that you think that's a good move and you believe that's in the best interests of Ontarians.

Minister, they're doing it in order to cut a further \$3 million from the health care costs because of what you have done. It is not good news. It is not good news for the patients. Again, I say to you, if you can find \$2.2 billion for corporate tax cuts, why can't you find the money to ensure that these 62 acute care beds in Hamilton stay open and that these 30 nurses don't lose their jobs?

**Hon Mrs Johns:** It's obvious that this member opposite is just trying to create headlines. Let me say one more time that we don't believe that all the beds in the province of Ontario should be acute care beds. We believe that there should be beds so that seniors can go in and have activities, as opposed to being in a hospital. We believe they should be up and doing recreational things. We believe they should be in a homelike setting—hence, 248 beds.

We believe that some people in this province shouldn't be in a hospital for a long term, that they should be in a rehabilitation centre getting the occupational therapy they need, getting the services they need, the rehabilitation services, so that they can get back out and lead productive lives. We have done that because we believe that you need to provide the best-quality services for the people in Ontario.



I understand a press release is going to come out of this, but the member opposite knows that you have to have—

**The Speaker (Hon Gary Carr):** The minister's time is up.

### ENERGY COMPETITION

**Mr Ernie Hardeman (Oxford):** My question is to the Minister of Energy, Science and Technology. We all know that in the coming months we will see the opening up of the electricity market in Ontario, which of course is good news for all electricity consumers. But, Minister, could you tell us what is being done to promote, encourage and assist environmentally friendly or green energy initiatives in Ontario?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** Two of the guiding principles in the government vision for Ontario's electricity sector that were announced by the Premier on February 28 are protecting the environment and supporting the search for alternative sources of power. Green energy—there's a new era beginning in Ontario with the opening of the energy market.

In the brief moment I have, let me just tell you some of the projects that are publicly announced in this sector that wouldn't be possible without the changes we're making in the electricity sector: a biomass project in Thunder Bay for \$35 million; another biomass project using wood waste in Hearst by TransCanada Power Services for \$120 million; new wind turbines for Ashbridges Bay in Toronto at \$1.3 million; Toronto Exhibition Place for the Toronto Renewable Energy Co-op, a \$1.3-million wind turbine project; North America's largest wind turbine, by Ontario Power Generation, a \$3.5-million project already up and running in Pickering; a wind farm for \$50 million in Prince Edward county; landfill gas projects in Toronto northwest for \$2.8 million; Brantford for \$8 million; Waterloo, phase 1, \$7 million—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up.

**Mr Hardeman:** Thank you very much, Minister, for outlining all those very important and excellent programs and projects that are ongoing. That will all be good news for our environment, for using more green and environmentally friendly energy, but could you also tell us what we're doing to promote energy efficiency in the province of Ontario?

**Hon Mr Wilson:** There are dozens of new projects, in fact, \$3.6 billion in new projects, and hundreds of new jobs as a result of our plans and our vision to introduce competition. All of this was illegal under the Ontario monopoly system called Ontario Hydro. If you had a windmill, like the fellow who has one on the top of Blue Mountain in my riding, and you wanted to get that power to willing customers, Ontario Hydro wouldn't let you do it. Under the new system, billions of dollars of new green energy are coming on-line. Plans are in the works, projects are already being built and hundreds of jobs are

being created—a fantastic record for any jurisdiction in this stage of the competitive process.

### TENANT PROTECTION

**Mr David Caplan (Don Valley East):** I have a question for the Minister of Municipal Affairs and Housing. Minister, in a recent interview with the Peterborough Examiner, your cabinet colleague the member from Peterborough made some very interesting comments about tenant protection in Ontario. In speaking about the practice of charging illegal deposits, the Minister without Portfolio said the following: "Sometimes landlords get the first and last month's rent and nothing in between." He went on: "We may have to pass legislation to offset these things."

Minister, has your cabinet colleague let the cat out of the bag? Will you confirm whether you plan to make changes to make it legal for landlords to charge additional deposits to tenants, as the Minister without Portfolio from Peterborough advocates?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I'm not sure if I got the whole question, but I'll try to answer what I think he asked. In terms of the Tenant Protection Act and the rules around that, we haven't changed those since the Liberals and the NDP were in power. The rate of increase is lower, on average, than was in place under the previous two administrations. But I'll wait for the supplementary to hear the details of the question.

**Mr Caplan:** Minister, you wrote the Tenant Protection Act; you've betrayed tenants. You have whittled away tenants' rights with red tape and government efficiency bills. The fact that you refuse to condemn your cabinet colleague's remarks can lead to only one conclusion: that you support Mr Stewart's position.

Minister, I want to give you one more chance. Will you confirm whether you will make changes to the existing legislation to make it legal for landlords to charge additional deposits from tenants? The Minister without Portfolio from Peterborough thinks so. Do you agree?

**Hon Mr Hodgson:** We do review legislation from time to time and we keep an open mind to all suggestions. Our party is an open party; we allow for suggestions from members of society and our own caucus. At least we're thinking about the issues. I think he recognizes there's a balance. You want to have more housing in this province, but you also want to respect the rights of the tenants. We have found that balance in the current act, but it's always open for review to see how we can improve it.

1520

### COMMUNITY ECONOMIC DEVELOPMENT

**Mr Norm Miller (Parry Sound-Muskoka):** My question today is for the Minister of Northern Development and Mines. My constituents in Parry Sound-

Muskoka have been closely watching the media reports regarding the economic challenges facing Sault Ste Marie. I know you've been working hard on behalf of northern community leaders to encourage diversification of their economies and to build strong communities. Could you tell the members of this House and my constituents in Parry Sound-Muskoka what communities can do to ensure they are prepared to face these economic challenges?

**Hon Dan Newman (Minister of Northern Development and Mines):** I thank the member for Parry Sound-Muskoka for the very important question. I can assure him that the Ministry of Northern Development and Mines remains committed to working with all northern communities to find ways to diversify their economies and to work with other partners to build strong communities.

The challenges that face Sault Ste Marie can be met. Those individuals with an entrepreneurial spirit that challenges the status quo and looks for opportunities to expand into new sectors may find success to be theirs in the Soo and beyond.

We will continue to work hard to create an economic climate for job creation and to attract investors and tourists to northern communities such as Sault Ste Marie.

**Mr Miller:** Minister, my constituents want to know exactly what the government has done recently to assist the Soo to attract investment and tourists to its community. What has the Ministry of Northern Development and Mines done recently to assist the community of Sault Ste Marie?

**Hon Mr Newman:** On Thursday, November 1, Premier Harris and I announced a new marketing strategy for the Soo to help create jobs and opportunity. We were joined at that announcement by John Snobelen, the Minister of Natural Resources, as well as by Ted Chudleigh, the MPP for Halton. We were also joined by Sault Ste Marie's mayor, John Rowswell.

The Mike Harris government's commitment of \$260,000 through the northern Ontario heritage fund is part of a \$1-million investment by the provincial, federal and municipal governments as well as private sector partners. The three-year marketing project will identify companies that could benefit from the city's skilled and experienced workforce.

I remain committed to working with community leaders to identify ways to diversify their economies and to build strong and prosperous communities. I want to take this moment to commend Sault Ste Marie's mayor, John Rowswell, for his commitment to this very important issue.

I'm certain this strategy will help Sault Ste Marie's long-term prosperity and will help create new jobs by promoting Sault Ste Marie as a great place to do business.

## LOW-INCOME ONTARIANS

**Mr Tony Martin (Sault Ste Marie):** My question is for the Minister of Finance. I saw him a second ago. I'm not sure where he got to.

**Interjection:** There he is.

**Mr Martin:** Minister, this weekend you decided to play Santa Claus, but your Grinch tail is sticking out a mile. You say you're trying to help families with a Christmas bonus, and yet once again you exclude the people who need it the most. People are losing their jobs. Families on Ontario Works have lost buying power, when you factor in the cuts and inflation. People on disability support programs have had their benefits frozen since 1995. The cost of food, clothing, housing and other necessities has jumped 9.5%. Yet once again you've excluded our poorest families from money they desperately need.

Minister, if you truly want to help the families hardest hit in this recession, you'll stop the clawback of the national child tax benefit, you'll fast-track my bill to give increases to people on ODSP and you'll include the most vulnerable and at-risk families—women and children—in your Christmas present to the poor of this province.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I didn't hear a question. I was waiting for a question.

The member raises the issue of the fall economic statement, which will happen tomorrow, and we won't deal with that today.

In terms of the needs of vulnerable people in Ontario, I'm very proud of the record of our government, particularly in the budgets. In the most recent budget, we addressed the issue of housing for developmentally disabled children who are now adults: \$67 million, so that their parents don't have to worry about what they'll do when they're gone and their developmentally disabled children, now adults, need a place to live.

I'm very pleased that we addressed the issue of funding required by the 19 children's treatment centres around Ontario, which help babies with spina bifida, autism and other developmental disabilities. We addressed that in the budget this year, giving them the funding they asked for in the amount of \$20 million. That's practical assistance to help persons who are vulnerable.

**Mr Martin:** Minister, you're giving Christmas bonuses to families in this province, and we think that's great. But again, you're excluding the most vulnerable and at-risk of our women and children, our families on supports in this province. Children are suffering. Families can't put food on the table, can't afford the winter clothing they need and are terrified by the upcoming stresses of Christmas. Stopping the clawback would give back almost \$100 a month for every child of a family in dire need. Surely you don't think children should be penalized for being born into poverty.

Passing my Ontarians with disabilities legislation would mean a cost-of-living increase every April 1. This would mean a 2.9% increase this coming April. Again,



Minister, surely you don't think that people should be penalized for living with a disability.

The time has come to really help people. Stop the clawback of the national child tax benefit, tell us you will support my bill to raise the ODSP and put it on the fast track. Will you do that, Minister, and will you include those most vulnerable and at-risk families?

**Hon Mr Flaherty:** Of course we are concerned with job losses, particularly during a time of economic slow-down, complicated and compounded by the tragedies of September 11—there's no question. I heard in the consultations before the fall economic statement that, particularly in the tourism and restaurant areas and in the hotel business, there have been some significant layoffs, and yes, we're concerned about that.

In terms of welfare, thank goodness, because of sound economic management and difficult decisions, hundreds of thousands of people are off the welfare rolls in Ontario today compared to previously.

Also, hundreds of thousands of people are not paying Ontario income tax today, although they're still paying federal income tax. These are lower-wage earners who are trying to find a better way for themselves and for their families.

I would think the member opposite would support the policy of reducing the Ontario tax rolls to exclude them and would encourage the federal government to do the same thing.

#### HOSPITAL FUNDING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the associate minister of health. You were asked earlier this afternoon by my leader about cuts to the obstetrical program at Queensway-Carleton Hospital in Ottawa. I want to make sure you know exactly what has happened here. Your government closed the Grace Hospital in Ottawa. When you closed the Grace Hospital, you transferred the women's health programs to Queensway-Carleton. Unfortunately, you didn't transfer enough money to Queensway-Carleton to keep the programs going. Queensway-Carleton has a \$1.8-million deficit. Your government has said to Queensway-Carleton: "You have to balance the budget. You're going to have to make some cuts." That is why Queensway-Carleton has made the decision to cut 600 deliveries. They have a birthing centre for 2,700 deliveries. They're cutting it back by 23%, almost one quarter.

Minister, no other hospital in Ottawa is able to take these 600 additional deliveries. I ask you the same question my leader asked earlier: where are the women in Ottawa who can't deliver their babies in an Ottawa hospital supposed to go?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Mr Speaker, as you're cognizant, I've already answered this question, but let me once again say that there will be no cuts in services, especially in the important services we're talking about today. What we have done is guaranteed there will be the

same kind of deliveries in the hospitals as there was in previous years. We have increased the funding at the Queensway-Carleton Hospital by \$12.8 million. We transferred some services not only to the Queensway-Carleton but also to the Ottawa Hospital, and funding has flowed with those transfers.

We intend to have women of this province serviced, to be able to have babies where they intend to have them. We intend to ensure there are patient services for all women in Ontario, and we will continue to do that.

#### PETITIONS

##### AUDIOLOGY SERVICES

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario, and it's entitled, "Listen: Our Hearing is Important!"

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario," like northern Ontario, "and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned," from Sudbury, Sault Ste Marie, Timmins, North Bay and Cochrane, "petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I affix my signature to it and give it to Chadd, our page, to bring to the table.

1530

##### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have petitions signed by about 2,418 people. I'll read the petition into the record.

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the

Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adults adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling."

I will affix my signature to this petition.

#### DOCTOR SHORTAGE

**Mr John O'Toole (Durham):** It's my pleasure to present a petition to the Legislative Assembly on behalf of my constituents in the riding of Durham.

"Whereas the provincial Durham riding, including Clarington, Scugog township and portions of north and east Oshawa comprise one of the fastest-growing communities in Canada; and

"Whereas the residents of Durham riding are experiencing difficulty locating family physicians who are willing to accept new patients; and

"Whereas the good health of Durham riding residents depends on a long-term relationship with a family physician who can provide ongoing care; and

"Whereas the lack of family physicians puts unnecessary demands on walk-in clinics and emergency departments;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that the government of Ontario will:

"Do everything within its power to immediately assess the needs of Durham riding and the Durham region and work with the Ontario Medical Association, the College of Physicians and Surgeons of Ontario, local health care providers and elected officials to ensure there are enough family physicians available to serve this community;

"Make every effort to recruit doctors to set up practices in underserved areas and provide suitable incentives that will encourage them to stay in these communities;

"Continue its efforts to increase the number of physicians being trained in Ontario medical schools and also continue its program to enable foreign-trained doctors to qualify in Ontario."

I'm very pleased to support and sign this on behalf of my constituents in the province of Ontario.

#### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** I have petitions here from in excess of 3,500 residents of southwestern Ontario. These residents are petitioning the Legislative Assembly as follows:

"Whereas the London Health Sciences Centre is a world-class academic health centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the Ministry of Health; and

"Whereas these cuts will put the health of the people," like these 3,500, "of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore ... we, the undersigned" 3,500 residents "petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

Look at these numbers, Speaker.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."



I agree with the petitioner, and I affix my signature to the petition as well.

#### HIGHWAY 407

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It's my pleasure to present this petition to the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into the Durham region, and the proposed route, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd Oshawa,

"Whereas such routing will destroy completely five holes, and severely impact two additional holes, effectively destroying the golf course as a viable and vibrant public golf course,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded public facility patronized annually by thousands of residents" of Durham region and the GTA."

#### LONDON HEALTH SCIENCES CENTRE

**Mr Bruce Crozier (Essex):** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children..., at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

In support, I affix my signature.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children..., at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

This is signed by a number of constituents from southwestern Ontario. I sign my signature in full agreement with their concerns.

#### CRUELTY TO ANIMALS

**Mrs Marie Bountrogianni (Hamilton Mountain):** I am pleased to present this petition on behalf of citizens from Burlington, Stouffville, Hamilton, Mississauga and Maple.

"To the provincial Legislature of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities and that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I sign this petition as well.

1540

#### AUDIOLOGY SERVICES

**Mr Dave Levac (Brant):** This petition comes to me from communities like Brantford, Fenelon Falls, Burnt River, Sturgeon Falls, Lindsay, Kawartha, Oakwood,

Mount Forest and others, and it's to the Legislative Assembly of Ontario.

"Listen: Our Hearing is Important!

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I sign my name to this petition and give this petition to Katherine, our page.

#### PROTECTION OF MINORS

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I have a petition to the Legislative Assembly of Ontario.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments; and

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95 (Protection of Minors from Sexually Explicit Goods and Services Act, 2001) as soon as possible."

I'm pleased to affix my signature to that as well.

#### CRUELTY TO ANIMALS

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the

torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

#### LONDON HEALTH SCIENCES CENTRE

**Mr Monte Kwinter (York Centre):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

#### ROYAL ASSENT

#### SANCTION ROYALE

**The Speaker (Hon Gary Carr):** I beg to inform the House that in the name of Her Majesty the Queen, the Lieutenant Governor's Administrator has been pleased to assent to certain bills in his office.

**Clerk at the Table (Ms Lisa Freedman):** The following are the titles of the bills to which His Honour did assent:

Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters / Projet de loi 56, Loi visant à encourager la revitalisation des terrains contaminés et apportant d'autres modifications se rapportant à des questions environnementales.

Bill 65, An Act to permit the Minister of Transportation to delegate to persons in the private sector powers and duties and responsibilities to deliver services relating to road user programs / Projet de loi 65, Loi permettant au ministre des Transports de déléguer à des personnes



du secteur privé des pouvoirs, des fonctions et des responsabilités pour fournir des services liés aux programmes à l'intention des usagers de la route.

Bill Pr23, An Act to revive 1205458 Ontario Ltd.

**The Speaker:** Orders of the day.

**Clerk at the Table:** Opposition day number 3, Mr McGuinty.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: Doesn't the government itself have to move what the orders of the day are normally?

**The Speaker:** It's an opposition day, so the table reads it and then the member will proceed.

## OPPOSITION DAY

### LONDON HEALTH SCIENCES CENTRE

**Mr Dalton McGuinty (Leader of the Opposition):** I move the following opposition day motion:

That the Ontario Legislative Assembly calls on the Conservative government to keep its specific campaign promise to working families across southwestern Ontario by maintaining and protecting the specialized pediatric and other specialty programs now at risk at the London Health Sciences Centre.

**The Speaker (Hon Gary Carr):** Mr McGuinty has moved that the Ontario Legislative Assembly calls on the Conservative government to keep its specific campaign promise to working families across southwestern Ontario by maintaining and protecting the specialized pediatric and other specialty programs now at risk at the London Health Sciences Centre.

1550

**Mr McGuinty:** I am pleased to—"pleased" is not the right word; I wish we didn't have to do this. The government made a specific promise prior to the time of the last election and it appeared in the newspaper. There was a specific commitment that these programs would not be cut. The minister and the members of the government, particularly those in the London area, were aware of just how heavily this weighed on the minds of the families, and parents in particular, living in London and southwestern Ontario. There has been much debate on this issue and many questions raised by members of my caucus, but it was all brought home to me in a very meaningful way when I had the opportunity to visit London and meet with a group of parents.

One of the young fathers there, as he put it to me, had been informed that he was not going to be allowed to touch—literally touch—his very young infant child who was in intensive care because to touch the child, to carry the child, to hold the child, would be too traumatic an experience for this young infant, this fragile infant. As he put it to me, he said, "If I can't hold my child, why is the government proposing to transport my baby, either by helicopter or by fixed-wing aircraft or by ambulance, to the city of Toronto?" Of course that's a very important

question, and it touches on so many aspects of why this issue is so important.

We're talking about, when it comes to these pediatric programs, ensuring that children who are born into this world who are struggling to overcome some condition, which is already a tremendous burden on the family, a burden which they accept out of love and assume every responsibility for—the question then becomes, why wouldn't the government help those families in the way that it has in the past? The people of London aren't asking for anything more here. They're not asking for frills or additional benefits. They're simply asking for maintenance of programs that had been there in the past and that this government specifically promised would remain there into the future.

A London Free Press story was published March 24, 1999, and the headline read, "Children's Hospital Won't Lose Cardiac, Transplant Services." The minister is quoted in the story as saying, "It's our intent to continue to ensure those programs are provided through London Health Sciences Centre, both now and in the future." The minister concluded by saying the hospital made "a very compelling case" for keeping the programs in London.

I want to underline those words used by the minister. The minister said the services would be provided "both now and in the future." It seems to me that kind of wording constitutes an ironclad promise, and parents and families in the London area and southwestern Ontario were entitled to rely on that promise. Surely many of them did rely on that promise when they cast their ballots at the time of the last election. They fully believed and expected that this government would honour its commitment, knowing that this was not some kind of frill, that this had to do with the health and well-being of families and, more specifically, children who are born into this world who are struggling to overcome some condition or other.

Now, that was then. It saddens me to tell you, and to remind government members in particular, that that promise was broken. The London Health Sciences Centre has recently announced that its entire pediatric cardiac program is slated for the chopping block. It's on the chopping block as part of a hospital plan to cut 18 programs due to lack of funding. Government members may argue somehow that the board of directors acted of their own free will, but it would be pure fiction to believe—to intimate, even—that somehow those responsible for the finances of the hospital in London had a free hand in lending direction to their future and the viability of their programs as they themselves would deem fit.

I can understand that this puts some members of the government who represent London area ridings in an understandably difficult position. It was just prior to the last election that a specific commitment was made by the then Minister of Health, who said these programs would not be cut. A promise was made and a specific promise was indeed broken. I'm sure in large measure these London area members owe their very seats to this promise.

You might ask, are these members today offering apologies? Are these members pledging to fight to fulfill this promise made to the families of London and the southwestern Ontario area? Again I'm saddened to report that the answer to both those questions is a decided no.

The member for London West has had the temerity to defend the \$2 million in program cuts. He's had the temerity to say that indeed these cuts will somehow enhance hospital services. As reported recently in the London Free Press, the member for London West has had the temerity to say that the working families of London and others who have argued against the cuts "don't know what they are talking about." That's a direct quote. The member for London West said that they "don't know what they are talking about." He has also gone on to say that "circumstances change." Well, circumstances do indeed change. Prior to the time of the last election, there was a specific campaign commitment upon which voters in those communities relied.

Unlike the member for London West, I believe the working families of London and southwestern Ontario do indeed know exactly what they are talking about. Families in London and in southwestern Ontario know what a promise is. They know what giving your word is. They know what a campaign commitment is and they know what it is when a government fails to honour that commitment. They know what it is when a government breaks its promise. Families know that the present government was, it's sad to say, playing politics with their health.

I want to tell you that we believe in doing things a little differently. We believe that people have to come ahead of politics. I believe that the former Minister of Health was absolutely right in 1999 to promise never to cut those services. In fact, as I recall the article and her comments, not only did she say that she would not cut those programs, she went on at some length to describe how there was excellence to be found in those very same programs and that, if anything, she should look at providing additional resources to support those programs. That's how far the Minister of Health then went. I believe the former Minister of Health was right in 1999, and I believe the government was wrong in 2001 when it cut funding for these same services, breaking a promise it said that it would never, ever break.

So with this motion, what I am doing is calling on the government to simply restore funding for these vital programs for the benefit of London and southwestern Ontario's families. I'm simply calling on the government to keep its promise, honour its commitment. I hope that the government members, if they have taken the opportunity to meet with the parents and talk to the nurses and talk to the physicians, gain an understanding of how hard it will be to restore these programs. When doctors move off to other provinces or if they move off south of the border, it will become a very difficult undertaking to restore these programs; it will never be easy to restore these programs. That's why it's so important that we together fight to save these programs now, that we

together urge government members to simply honour a campaign commitment that had been delivered just before the last provincial election. So I'm calling on the members of the government especially, and particularly the member for London West, to do the right thing and support this motion so that these vital services in this community can be preserved. As well, I urge all members of this House to support this motion so that these vital health services can be preserved for the benefit of the working families of London and southwestern Ontario.

**The Deputy Speaker (Mr David Christopherson):** Further debate?

**Mr Bob Wood (London West):** As members of the House will be aware, the sizing and scoping exercise at the London Health Sciences Centre appears to have actually quite wide support, with the exception of the recommendations re pediatric cardiac care: 17 out of 18 recommendations have basically been very widely accepted.

On the question of pediatric cardiac care, there appear to be two different opinions, both credible. One holds that a correct interpretation of the research shows that there are insufficient surgeries in London to support that program in London. That was the conclusion of the sizing and scoping. The other view holds that a correct interpretation of the research shows that there are in fact enough procedures being done in London to support pediatric cardiac care here. The research is of course based on what is needed to produce the best clinical outcomes, in other words, the best health for the people of southwestern Ontario.

I believe that the London Health Sciences Centre and the Ministry of Health must analyze these two points of view, determine which is correct and then act accordingly. I'd like to keep pediatric cardiac care in London if that can be done and achieve the best possible clinical outcomes. I also believe, however, that the care we offer to the people of London and our region must result in the best possible clinical outcomes. Surely we owe that to the children of our region.

1600

This resolution has merit, but it's also flawed. I can't vote for it as it stands because of those flaws, which I'm going to note in a moment, but I would be prepared to vote for it if it were properly amended to address those flaws. I favour keeping as many services as possible at the London Health Sciences Centre consistent with the best possible health results for patients. I'm going to suggest a resolution that I think takes into account that concern and would indeed put this House on record as calling for the best possible health results for all the people of our region. I invite the Leader of the Opposition, in the unlikely event he may be listening to this, to ask for the unanimous consent of the House to withdraw his resolution and present this resolution to the House.

The resolution is as follows—



*Interjections.*

**Mr Wood:** Some may find this humorous, but this is not a humorous issue for the people of this region. Those from other regions—

**The Deputy Speaker:** Stop the clock. Take your seat, please. I realize this is a very emotional issue. Both sides of the House were fairly good when the leader of the official opposition was speaking. I would ask you to show the same respect to the member for London West. I'm sorry for the interruption. Please continue.

**Mr Wood:** There appear to be some in the opposition who find this to be a humorous issue. I'd invite them to come down to London and find out if there are any people in the London area who think there's anything funny about this issue.

What I would, however, like to do is invite the Leader of the Opposition—

**Mr John Gerretsen (Kingston and the Islands):** Mr Speaker, on a point of order—

**The Deputy Speaker:** Member take his seat, please. The Chair recognizes the member for Kingston and the Islands on a point of order.

**Mr Gerretsen:** The member just made an accusation that members on this side of the House find the issue funny. If we found it funny, we wouldn't have brought the opposition day motion that we did today.

**The Deputy Speaker:** That is not a point of order. Take your seat, please.

The member for London West, please continue.

**Mr Wood:** Thank you. I invite the Leader of the Opposition to listen to this and see whether or not he might be prepared to withdraw his resolution and substitute this one:

"The Ontario Legislative Assembly calls on the Conservative government to keep its specific campaign promise to working families across southwestern Ontario by evaluating additional information, listening to concerns being raised, doing the right thing for patients by providing the best possible health results and by maintaining and protecting the specialized pediatric and other specialty programs now at risk at the London Health Sciences Centre, provided that such programs can be maintained while achieving the best possible health care."

I'll send that over to the health critic for the official opposition so she has a copy of that.

What I would like to invite my friends on all sides of this House to do is to consider this very serious issue on its merits. The merits are that in order to achieve the best possible health outcomes for the people of southwestern Ontario, we have to look at the research. Most health services can be provided in our region, and all that can be with the best possible outcomes should be. There are going to be some small number—and it's conceded by everyone at the London Health Sciences Centre that there are certain procedures that we don't have enough volume to do and shouldn't be doing.

I invite, however, all members of this House to commit themselves to the proposition that we are going

to provide the best possible health care, the best possible health outcomes to all the people of London and its region by considering the research and applying the research. That's what the Ministry of Health has been trying to do, that's what the London Health Sciences Centre is trying to do, and I invite all members of the House to go on record today as supporting that proposition and therefore supporting the best possible health care for the people of London and the region.

I hope that the Leader of the Opposition will accept my invitation and will ask for unanimous consent, which I will certainly support, to put an amended resolution before the House, an amended resolution along the lines of what I outlined a couple of minutes ago. It will certainly attract my support, and I think it would attract virtually unanimous support throughout this House. I invite him to do that—

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: Did the member just move a unanimous consent motion for this House to consider?

**The Deputy Speaker:** He was hoping somebody else would. Please take your seat.

Please continue.

**Mr Wood:** To clarify that for the member for Don Valley East, the Leader of the Opposition has a resolution before this House. I'm inviting him to withdraw that resolution and substitute the one that I have proposed. Were it in order, I would move an amendment to that resolution. The standing orders of the House do not permit me to do that, so I have to issue the invitation I just did to the Leader of the Opposition. That's the only way procedurally that this matter can be dealt with. I invite the Leader of the Opposition to consider this. I think that if he lays the politics aside and considers this on its merits, he will find the amended resolution to be sound and one that can be to the benefit of the people of both southwestern Ontario and the province as a whole.

On that note, I will send this resolution over to the health critic, and I invite all members of the House to consider the possibility of an amended resolution.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I find it absolutely incredible that we have to come into this Legislature with an opposition motion to ask this government to take the health care needs of the people of southwestern Ontario seriously. I find it incredible that we have to be here because of a promise this government made specifically to the London Health Sciences Centre that these programs deserve their support now and in the future and would be maintained now and in the future. I find incredible the kinds of excuses the members for the London area are offering as a reason for not supporting a motion that calls on all members of this House to be concerned about adequate hospital and health care services to the people of the southwest.

The member for London West wants to talk about clinical outcomes. I suggest that clinical outcomes at the London Health Sciences Centre were never called into question until they were needed as a defence by members of the government for not standing up for the needed

health care services and programs for people in southwestern Ontario.

The member for London-Fanshawe suggested this motion is something he can't support because he doesn't see it as being particularly significant. What could be more significant than saying to the people of southwestern Ontario that you, as a government, are prepared to have some sense of responsibility and to maintain and support the pediatric programs and other specialty programs at the London Health Sciences Centre?

Then there was the member for London North Centre, who suggested this would be counterproductive, that it's about politics and making the government look bad. This government has broken its promise to the people of southwestern Ontario, it has compromised health care in southwestern Ontario, it has put at risk the lives of sick children and it has refused to take any responsibility for its actions and its cuts to hospitals. We don't need an opposition day motion to make this government look bad when it comes to health care or the services in southwestern Ontario.

I want to make it absolutely clear that this motion is not directed at the board of the London Health Sciences Centre. The board of the London Health Sciences Centre, like the boards of hospitals across this province, has been put in a completely untenable position by the fiscal funding policies of this government when it comes to hospital services and health care in general. The London Health Sciences Centre board had to cut. They've got a deficit of about \$60 million, and they're not alone.

As we speak, at least one third of the hospitals across this province have deficits. One third of those hospitals have deficits and have been told by this government that they have to make cuts. They've been told by this government: "Don't talk to us about not having enough money to maintain essential programs. Don't talk to us about what the cuts are going to mean to people you serve in your communities. Just balance your budget. Make the cuts. You make the decision." Every hospital with a deficit has been left on its own, just as the London Health Sciences Centre has been left on its own.

They had to cut \$17 million by government order. If any member of this House wants to pretend that this cut in London, that these 18 programs being cut have to do with anything other than having to follow this government's orders to take \$17 million out of its budget by the year 2005, then they are buying a line of rationalization. Maybe that's not the term we're using any more. The new term is "scoping out." That's the fancy, trendy term the London Health Sciences Centre has been told to use to try to rationalize the cutting of 18 essential programs.

At least the government hasn't used its standard line. They've advanced some new language. They're not using the standard line: "It must be inefficiency. The hospital must be inefficient." I guess the reason they're not using that line is because they said that about the Hamilton Health Sciences Centre. Many of my colleagues will remember that. Two years ago, the Hamilton Health Sciences Centre had a deficit of \$42 million thanks to the

cuts this government had made to hospital funding and thanks to the chaos of the government's restructuring process for hospitals. They had a \$42-million deficit.

**1610**

Mr Speaker, you will remember well that the government said: "It must be an inefficient hospital board. They're just not planning properly. They're not prepared to deal with the realities of providing responsible health care." So the government took over; they sent in their own administrator. And what did the government do in the name of efficiency, perhaps in the name of effective clinical outcomes? They gave Hamilton Health Sciences Centre—and we're grateful for this—\$42 million.

I guess they decided they couldn't follow that particular pattern, so they've tightened up; they're running a tighter ship now. So when the hospitals have deficits, they don't want to talk to the hospitals about why the deficits exist. They just want to tell the hospitals to make the cuts, or else.

Ottawa Hospital, you will know, is facing something similar. I'm not sure the government was quite ready to take on the problems and the chaos they've created in the hospital in Ottawa; in fact, in the hospitals in Ottawa.

Talk about hospitals being left on their own. It's not just the London Health Sciences Centre. Queensway-Carleton, which we raised in the Legislature this afternoon, was left on its own to decide how to deal with a much smaller deficit, \$1.8 million. Their decision was to cut women's health programs in obstetrics, not because they wanted to but because hospital boards like the London Health Sciences Centre board are being put in a completely impossible position by a government that won't provide adequate funding and won't take any responsibility for really looking at the most effective way of delivering health programs across the province.

If this government had actually done what their members claim the government is doing, if this were part of a plan, then there might at least be some ability to discuss whether this is going to—I'll use the words of the member for London West—"enhance patient care." But the government has had no part in the decisions that are being made. Their answer, their response, when asked about the cutting of programs at the London Health Sciences Centre was to say: "It's part of a plan. It has been coordinated. No patients will be left without services." We know that in fact there was no plan, there was no coordination. These were decisions made by the London Health Sciences Centre board because they had to make the budget cuts. They weren't done in consultation with the Hamilton Health Sciences Centre; they weren't done in consultation with Toronto.

If you want an example of the proof of that, look at the fact that one of the programs being cut is the burn program at the London Health Sciences Centre. If anybody was looking at whether there are adequate numbers of beds to deal with severe burn cases, they might want to reflect on the very tragic story last summer about the woman from Kincardine who suffered serious burns. They couldn't find a bed for her anywhere—not in



London, not in Toronto, not in Hamilton. She had to be airlifted to the United States and unfortunately did not make that trip successfully.

If you want something more recent, go to Hamilton, where they were not able to care for burn patients from the Hamilton region, who had to be sent to the United States. In the face of that kind of evidence that we don't have enough beds to provide for intensive burn patients now, the decision at the London Health Sciences Centre is to cut out their burn program, and the minister's response is to say: "This is all part of a plan. Every patient will be able to receive those services elsewhere." I suggest there is no plan, there is no assurance that patients are going to be able to receive those services elsewhere. All the evidence says exactly the opposite is the case.

I would make the case that this is true for every hospital in this province facing a deficit. What this government does is simply stand back and say: "It's your responsibility. All we take responsibility for is giving you the money." In fact—and I don't want to get on to that—two weeks ago they announced \$161 million as if this was new money to solve the hospital's funding programs. It isn't new money; it's part of what they got last year, re-announced—a complete lack of responsibility on the part of this government.

The physicians who headed up these programs have said, "There was no consultation with us." Not only was there no consultation with hospitals that presumably were going to be providing those services the London Health Sciences Centre is cutting, but there was not even consultation with the heads of the departments providing the services. Heads of departments read about their programs being cut in the newspaper. What kind of consultation process is that? For any members of this government to suggest these cuts were done in the interests of patients and with an assurance that adequate patient care would be provided for the people of southwestern Ontario is simply not factually the case, and it is the height of irresponsibility to use that as a defence for what is really the slashing of essentially needed programs serving the people not only of London but of all of southwestern Ontario.

**Mr Frank Mazzilli (London-Fanshawe):** I'm certainly privileged to stand and speak to this motion today. An amendment, I'm sure, will be moved at some point, adding what my colleague from London West said—"maintaining while achieving the best possible health care"—to that motion.

This issue started approximately a month ago, and I know it's probably the most difficult issue I've had to deal with as an elected member of this Legislature. The reason it's been the most difficult issue is that when the hospital made this decision—if it were about money, I can assure you, all three members from London would have been standing and screaming. But something caused me to stand back for a moment, and it was when a regional coroner came out with his findings. I, in this lifetime in this Legislature and in my previous lifetime,

have never seen a regional coroner come out and support either a hospital decision or a government decision of any sort. And those findings that the regional coroner based his decision on were, quite frankly, ugly. He spoke about three deaths in London during some procedures.

I can only tell you that, in good conscience, the one thing I will always say, it's a good thing that members of this Legislature do not run hospitals. Obviously, we pay hospital administrators very good money right across this province to provide information to their boards, and we as elected members can only make the best decision possible on what's given to us by both administrators and hospital boards. At some point, some of that information may cause you to stand back and get to the truth.

What puzzles me still to this day about this issue is that on the one hand you have the regional coroner and the Ministry of Health saying that clinical outcomes—let's be frank: mortality rates are disturbing. If I am supposed to fight to keep a service in London that has a mortality rate that's twice as high as someone else, how in good conscience can I do that?

Then, on the other hand, you speak to Dr Frewen and you will get another set of facts. Then I say, in that case, if it is just two procedures, we ought to retain the other 33 procedures. Then you go back and you get, "Well, if you can't do these two right, and it's probably 20 procedures you can't do right, then it causes concern for the entire program again," which leads me to my next point, no matter what mortality rates are. If children cannot be transported safely, that causes concern, even if you have a mortality rate—say that is the case, twice as high. Let's just assume that's the case, because that's what we're being told.

Now we have the issue of, would the mortality rate be 100% if we had to do transportation? I don't know that, and I haven't heard anyone who can tell me that. These are facts about which I think, rather than playing politics, we on both sides of this Legislature need to know. If in fact Sick Kids has a program that is second to none, can we safely transport our kids, whether it's from Ottawa or London, to Sick Kids, keeping their success rates? Can we do that? That's an answer that I am certainly looking forward to in the future.

The other thing that concerns me about the scope of this entire thing is, at no time have I ever heard from the London Health Sciences Centre board that this is about money. It was basically the report, complaints on mortality rates from parents, that led the regional coroner to get into an investigation that came out with some findings. He may be wrong, as we're hearing from some people. That is what the job of this Legislature should be: to get to the bottom of it. What information did the regional coroner get to base his findings on? If he's right, we also need to know. If he's right, I as a parent want to know before one of my kids undergoes any type of surgery like that in London; I know my neighbours' kids would want to know and all of my constituents would want to know. If he's wrong, we also want to know that.

1620

But let's talk, because as politics becomes politics, it's always about money. The London Health Sciences budget was increased by 25% since 1998-99. At that time it stood at \$276.6 million, and has gone to \$346.2 million in this fiscal year, 2001-02. In fact, if you look at the one-time funding, which is the deficit, as we've heard, it's gone up 29% from 1998-99, from \$294.3 million to \$380 million in base funding. That's with the \$60 million or so that we call the deficit. At no time has the board said that this is about money. In politics—how you get a 30% increase and you call it a cut is beyond my expertise of comprehension.

The one thing I know is that, as this Legislature, if we don't get to the bottom of it—if you look at London Health Sciences, they've recruited some 78 physicians in the last two years, and this type of debate where people's professional credibility comes into question certainly doesn't help an institution like the London Health Sciences retain the expertise they have and the people they've retained. Let me just go over some of the 78 physicians that they've successfully recruited to our area in the last couple of years: five clinical neuroscience specialists, nine radiologists, five obstetricians, five emergency medicine specialists, 11 surgeons, five anaesthetists, eight oncologists, eight pediatric specialists, three family medicine specialists, four psychiatrists, eight general medicine physicians and seven pathologists. When you look at that list of specialists—we hear all across this province, and in fact all across this country, that there are shortages of specialists everywhere; I'd be the first one to acknowledge that. We in London have the same challenges that many others have, but we're probably a little bit more blessed than others when it comes to retaining and recruiting. The member from Timmins would know that and he would look at a place like London and say, "You're rather lucky." Yes, we are.

Again, at the end of this debate, what I'd like to see—if this is about the members for London West, London North Centre and London-Fanshawe fighting for more money, then we will do that on behalf of our constituents. We will do that. But before we can do any of that, we also need to get the facts out on the table. Some of the physicians are questioning the outcomes of the regional coroner's investigation. That needs to be dealt with, because in good conscience we cannot face any of the parents. I asked the opposition leader: did he speak to any of the three parents whose children died under those surgeries? Did he speak to them? What input did they have? They're the ones who made the complaints to the regional coroner. These are things that we need to know. I certainly need to know, and before this Legislature can come up with any decisions based on this, I think we deserve those answers.

Further, one thing I did say is that this motion really is void, and I'll tell you why it's void: when the minister came to London a couple of weeks ago, we set meetings up with Dr Frewen, who certainly wanted to explain his version of events in his professional opinion, along with

some concerned parents. I'm glad the minister took time to sit down with Dr Frewen. He certainly got a different perspective than what he had been told, and is in the process of ordering his ministry to look at pediatric services and how they are delivered.

The other thing we heard from Dr Frewen and others, that I had heard for some time, is how specialists are funded, particularly in areas where there is a teaching component. As you would know, Mr Speaker, in Toronto and Ottawa there is a funding formula that puts London at a disadvantage. I was happy to hear that the minister had worked out, or is in the process of dotting the i's and crossing the t's, a similar agreement for London. Thereby we're able to keep our specialists and recruit more specialists.

As this issue unfolds in our community, I want people in my constituency to know that this is about money. The members for London West, London North Centre and London-Fanshawe will be there fighting for more money. But at the same time, we need to get down to the bottom of these mortality rates, and I think we all deserve to know the truth.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** We in the London community are extremely proud of the London Health Sciences Centre. It's one of the most important teaching hospitals in North America. It's a hospital that many of us have grown over a long period of time. It enjoys the support of our city council and of our citizens. We've been able to raise the money we've needed, whether we're looking at MRIs or pediatric health services, or whether we were looking at, in the good old days, machines we don't even talk about now. But we know most of all that we're proud of the quality of care that our young people receive, as well as people who come from outside of London and sometimes across this great country. We do intend to keep it that way.

At this time, Mr Speaker, I think you will know as well as others that governments across this country, in all provinces and territories, are pretty challenged when it comes to spending on health care. Our government has increased health care spending every single year, and that shows up in the numbers at the London Health Sciences Centre as well as anywhere else, which I will speak to.

I do know there has been a level of government that has reduced funding to the provinces and the territories, and that is the federal government. People may think this is about bashing and don't want to listen to excuses, but we have increased the number of dollars we have spent. If you take a look at the base services, the budget since 1998-99 in London, it has increased some 20%. If you take a look at other ways of looking at that budget, new spending has increased by some 14%. They say in fact total funding for the London Health Sciences Centre is up 14% since 1998-99. The two numbers I have are \$333.4 million, up to \$380.5 million.

Across the country hospitals do have to present themselves with regard to accountability. In this regard,



the London Health Sciences Centre did have to respond to a comprehensive review—I'm using their words—"of our clinical and academic enterprise." They did that as a response to a review of their own operations, an operational review. They have to do everything possible to make sure, number one, the programs that are provided relate to patient care. This new money that has been provided for people in our hospitals is mainly for patient care. This is a challenge, I know, because when you have experts who are interested not only in health care delivery but in new technology, it must be very difficult and very competitive.

1630

Last week I was at St Joseph's Hospital, their annual dinner, where they were raising money. We forget sometimes, during these kinds of debates at our Legislative Assembly and sometimes in our own communities and by our own media, about the great success stories that are evolving as we speak. One of the great videos that I have seen at St Joseph's Hospital—and we have the same with regard to our regional cancer clinic; we have the same for the London Health Sciences Centre; we have the same for our children's hospital. We tell good stories, but this particular evening we were treated to the story of a young woman who had had some surgery on her eyes along with technology. For the first time, at age 27, she saw her father. That's wonderful medicine in Canada, and in London.

We were also treated to the story of a gentleman who, I believe, was in his fifties. As you know, St Joseph's Hospital in London—

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: There is no quorum in the House.

**The Deputy Speaker:** Clerk, can you check if there's a quorum, please?

**Clerk Assistant (Ms Deborah Deller):** Quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** Quorum is now present, Speaker.

**The Deputy Speaker:** The Minister for Training, Colleges and Universities may resume her debate.

**Hon Mrs Cunningham:** Mr Speaker, I just lost a couple of minutes. I guess it's our problem, but I think this is an important debate. It's all part of the political process in this House. I know people who are watching this will know that every once in a while these things happen. But that's what this debate is about today: politics.

I will say that the second story I was about to tell was about a gentleman in his fifties who has had kidney stones for many years of his life. Some of the first great technology to do with getting rid of these kidney stones was developed at St Joseph's Hospital. If it hadn't been for that technology, this gentleman probably would have been subjected to many surgeries over a long period of time. His story was that he just had three little holes in his side with a scope, along with the technology that allows him to have a better quality of life.

The last story was because of our new clinic to deal with challenges with the limb and the hand. The surgery that was done there by people who were reconstructing the knuckles of a lady who had not been able to brush her hair for some 15 years was a lovely story. All of us are very proud of what we can do.

The great challenge, I think, in Ontario is not only having the amount of money for the traditional health care in our hospitals, for the new critical care units that we have in our London children's hospital, but also for the technology that goes along with the surgery to improve the quality of life—in fact, save lives of many of our people in Ontario and across the country.

So today our reputation in London is at stake, in the sense that this story, as it has unfolded, was subjected to one of the political processes and political challenges that face difficult decision-making. That is why we are having an opposition day debate today.

I was in opposition; I look at my colleague across the way. This one is called opposition day number 3. This motion is meant to embarrass the government. It would be very unusual for a government to support an opposition day motion, but sometimes people who put forward these motions will work with the government members and get a motion that in fact we could support.

In this case, my disappointment when I read this motion some time on Friday was that the word "patient" is not in this motion. This motion is about politics; it is not about patients. However, today my colleague from London West offered that the government of the day at some time during this debate would add some words to this motion. The motion now reads:

"The Ontario Legislative Assembly calls on the Conservative government to keep its specific campaign promise to working families across southwestern Ontario by maintaining and protecting the specialized pediatric and other specialty programs now at risk at the London Health Sciences Centre."

Having looked at the 20/20 vision of the Liberals, it didn't mention the London Health Sciences Centre; it didn't mention southwestern Ontario. Having looked at our program—I call it the Common Sense Revolution II—it didn't mention this at all. So it doesn't really matter. This is really politics and you just say what you like, whether it's true or not. They did say that the Minister of Health said this at some time during the campaign, but everybody knows that during a campaign there was a red book and there was a Conservative book—call it the blue book—and that's the campaign promise. But it doesn't really matter because this is aimed to embarrass the government. Do you know what it does at the same time? It embarrasses my community, because we are used to working together.

We know in fact that this London Health Sciences Centre scoping and sizing initiative was a very difficult issue, a very difficult exercise. As a matter of fact, at the very introduction it basically says that some of the recommendations in this report are based on good health care, based on spending money wisely, based on

improving services where we do a great job, based on considering dropping other services subject to consultation. This is extremely controversial. It would be, in anybody's neighbourhood. It would be, at any hospital. It would be, in anybody's family.

What happened here is one of my colleagues basically sent out a press release and said I clapped for these cuts—

**Mr Caplan:** On a point of order, Mr Speaker: The member has just referenced the scoping document from the London Health Sciences Centre. I would ask for that document to be tabled here in the Legislature so that all members could be able to read it. We have requested that we have access to that particular document.

**The Deputy Speaker:** Take your seat, please. I'll determine whether or not that should happen in a moment, but I'll ask the minister to take her place and continue her debate.

**Hon Mrs Cunningham:** If you want to run in London, run in London and get a copy. This is confidential to the members, including Mr Peters. So I don't really worry about it. You did get your copy; it wasn't the one I've got, but there's enough information for you to make good decisions.

**Mr Caplan:** Well, then, you can't reference—

**Hon Mrs Cunningham:** Having said that, we do add to the debate today. The amendment we would like to have is that the Ontario Legislature—

**The Deputy Speaker:** Take your seat, please, Minister. Point of order, member for Don Valley East.

*Interjection.*

**The Deputy Speaker:** Points of order at this point are not out of order.

**Mr Caplan:** It is always in order to ask unanimous consent that the document be tabled so that all members can have the benefit of the information.

**The Deputy Speaker:** It is not. Take your seat, please. I've consulted with the clerks and I have not determined that the document has to be tabled at this moment. There hasn't been extensive reference to it. That is the ruling and I don't want anybody else getting up on this. We've had enough interruptions.

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of privilege, Mr Speaker.

**The Deputy Speaker:** This had better be a really good point of order.

**Mr Peters:** It's a point of personal privilege. The member for London North Centre made reference that this report would be available to any member of this Legislature, including Steve Peters.

**Hon Mrs Cunningham:** I did not.

**Mr Peters:** My office requested a copy of the scoping and sizing exercise and it was not made available to us.

1640

**The Deputy Speaker:** Again, my ruling is that there hasn't been extensive reference to it. But I want to caution the minister that if she continues to make reference to this document, the members are entirely within

their rights to ask for copies of it. So I'd ask her to keep that in mind.

**Hon Mrs Cunningham:** The amendment that we would like to have is:

"The Ontario Legislative Assembly calls on the Conservative government to keep its specific campaign promise to working families across southwestern Ontario by evaluating additional information, listening to concerns being raised, doing the right thing for patients by providing the best possible health results and by maintaining and protecting the specialized pediatric and other specialty programs now at risk at the London Health Sciences Centre provided that such programs can be maintained while achieving the best possible health care."

If it's appropriate, I believe the opposition members who wanted this have it, including Mr Peters and others. At any rate, I would like to carry on with the debate.

The hospital board did confirm the next steps in the scoping process. A week ago the minister met with parents, along with Mr Mazzilli, Mr Wood and myself. We discussed the challenge of the report and where we should go together next. The minister did decide that there was need for additional information, and in fact I think he will be establishing some process whereby we will get information right across the province of Ontario on some of these special procedures. So together in London we will be looking at that information and, as a matter of fact, it will affect all pediatric programs in Ontario. So the minister did discuss that with the parents and we have hope that we can complete that as quickly as possible, to further inform the decision-making of the board and the physicians at the London Health Sciences Centre.

Last November 5, when Mr Clement announced that, there was a further consideration of that by the board itself, and on Tuesday, October 30, the board clarified that "the clarification of the process to evaluate any additional information relevant to the scoping decisions approved on October 2 was in order." This is a media release. "Since the beginning, patient safety and the quality of care has been the foremost consideration throughout this initiative. We are listening to the concerns being raised and we are committed to doing the right thing for the patients we serve."

This has been the principle behind those of us in London. As a result of this report, I will say that all of us are interested in getting the best information we can get.

I'm going to conclude my remarks right now by saying the next stage of the process is to get the best advice, more information to make better decisions in London. That city, along with its health care professionals, parents, patients, also the physicians, the surgeons, has its own process in place.

I am disturbed today by the constant interjections during the 10 minutes I've had to speak on behalf of my own health care programs in London, the London Health Sciences Centre and the other hospitals. Most of us have been committed all our lives to putting quality care first.



This government has in fact increased the amount of funding, and the challenge for the hospitals and for community care access centres, no matter what program we're talking about, is to spend it wisely. The federal government has not supported the provinces. They're down to less than 15% on the funding that they give of their own budget. We're up to over 40% here in Ontario. It will take all levels of government working together to promote good health care.

We in London will finish this process. We will work together. We will clarify some of the questions that have been asked. We will take our time and get it right.

I'm very proud to represent London North Centre. I've done that for more than 12 years at Queen's Park. I intend to continue on and I intend to continue to listen to my constituents, to talk to people who are interested in the best delivery of care to our patients. We have our challenges, but we will work together and we will, with the support of the government, get it right. Thank you very much for this opportunity.

**The Deputy Speaker:** The floor is open for further debate.

**Ms Caroline Di Cocco (Sarnia-Lambton):** I rise to speak on the motion by Mr McGuinty, and I want to read it again into the record: That the Ontario Legislative Assembly calls on the Conservative government to keep its specific campaign promise to working families across southwestern Ontario by maintaining and protecting the specialized pediatric and other specialty programs now at risk at the London Health Sciences Centre.

I don't understand. I've heard the members from London speak to this, saying that this is just a ploy to embarrass the government, but frankly the government should be embarrassed because it made a specific promise before the election. That specific promise was to maintain the services. The residents of London and area took those promises to mean that the government would protect the services. It's that simple. But today what we have happening in London is that these services are being cut. I don't know, but I was taught—and many people here were taught the same thing—that we keep our promises. It seems to me if anyone is playing politics, it was played before the 1999 election.

My area, Sarnia-Lambton, is dreadfully affected by this because we utilize the London Health Sciences Centre. We have over 1,000 people who utilize it per week. I can share with the members an e-mail from a parent and this is what she says:

"As you are aware, the cuts to the London Health Sciences Centre are of concern to not only the residents of London but also to those of the Sarnia-Lambton community. Our twin daughters, delivered at 29 weeks in Sarnia and airlifted to London, made use of several of the services that are now in jeopardy of being eliminated. If those programs were not available at the time, we feel our daughters would probably not have survived past their first few days. We know from experience that lives will be put at risk when transportation distances are

increased. Currently, we are fighting to preserve these services for other community families."

The role of government—and I've heard this from the member for London-Fanshawe—is to provide the best possible health care. What does that mean? It means that at the very least you evaluate what resources, what services are available across the province. What I found out just a few minutes ago is that the Minister of Health is now going to have a task force to look at pediatric services across Ontario, but we've made cuts before we've done an evaluation. That is poor management. My question: before this came to be, did we have an evaluation done across this province? No. It's purely dollars and cents. We cut ruthlessly.

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I would also suggest that the members from London, as well as all the members in this Legislature, should be here to fight for the needs of their constituents. I've spoken to a number of the parents who are fighting to keep these services, and they have lost trust in the decision-making process. Some of these parents voted for the Conservatives because they believed in that promise that was made in 1999. This is what they told me, and I believe that the government has let them down. You don't make promises of that nature and then suddenly decide that it has to be cut. Or if the board is making those decisions, just like it can be made a promise before an election that, "We will keep them," when a board has made a decision to cut them, then alternatively the government has a responsibility to say, "We're going to save them."

Instead, we opt for toeing the party line and standing back and saying, "We can do nothing about this. It's not our responsibility. It's now the board's responsibility." If the government wanted to engage in the discussion of better government, maybe they could also look at the fact that some of these boards should conduct their affairs more in the public view. If they want to talk about better government, then hold the boards accountable as well for making decisions that are going to impact the public negatively.

I also heard Minister Cunningham speak about being at a fundraiser for the hospital. What we have, more and more across this province, are hospital and health care services required to raise money. Hospitals shouldn't be in the business of consistently raising money. Hospitals don't have many ways of raising dollars. The Ministry of Health has instructed the hospital to find \$17 million in savings by 2005. That's what they've asked for. So this—what do they call it?—sizing and scoping exercise will form part of the strategy to address the centre's deficit, the third-largest in Ontario.

What does this mean? This means that the government stands like Big Brother here at Queen's Park saying, "You have to find \$17 million in savings. We don't care how you find it; just go out there and find it." These services are being put at risk because the hospital board has been instructed by the paternal entity up here at Queen's Park to cut the funds and to cut their deficits, no

matter what has to be cut. Unfortunately, they've had to make some very serious cuts, and in my view, they've made those decisions without proper consultation of the public. The public who are going to be affected by these cuts did not know about what was happening. As a matter of fact, many of the specialists did not know of the cuts that were coming down that pertained to their department.

This is like Humpty Dumpty. It's very difficult to put the pieces back again once it has been broken apart, and that's what's happening to the London Health Sciences Centre. And yes, this government should be embarrassed, rightly embarrassed, because it broke its promise, and it's very clear that it broke its promise. I commend Dalton McGuinty and I'm proud to be on this side of the House. Our role is, yes, to protect what's most important to the people in London, and that's our health care.

**Mr Dominic Agostino (Hamilton East):** On a point of order, Mr Speaker: I ask for unanimous consent for the scoping and sizing report referred to by the member for London North Centre to be tabled in the Legislature.

**The Deputy Speaker:** Is there unanimous consent? I heard a negative; therefore the request is denied.

Further debate.

**Mr Bisson:** I see that the former Minister of Health said no, so I take it that's the official word. We're not going to get to see the scoping exercise.

I want to enter into this debate as one of the members in the New Democratic caucus who want to speak on that. I purposely sat back and watched this debate. My rotation should have been about an hour ago, but I wanted to hear the arguments from the government side before actually getting up and debating. I thought that maybe there was something we hadn't heard, reading the media reports on this issue, or maybe some of the information we received in our offices didn't have everything we needed to make an informed decision. I'm now more convinced than ever that we've got to vote for this resolution, because quite frankly the response on the part of the government members, and particularly from the member from London North—I think that's his riding—was really unbelievable.

We all get elected, Mr Speaker, and you understand the following saying, because I'm sure all of us as politicians have read this: politics is local. We get elected to represent our communities. Yes, we are party members. I'm a New Democrat and proud of that. There are two other parties in this House, and those members are equally proud to be members of their parties. But at the end of the day, we're elected as members to come here and represent our communities, and sometimes we've got to put our party affiliations or party politics aside and speak out on behalf of the community.

I know a government member is in trouble when that government member runs behind some kind of report, saying that's the reason he can't vote for the motion. I heard some of the comments Mr Mazzilli made—and I can't remember his riding. It's London North.

**Interjection:** Fanshawe.

**Mr Bisson:** London-Fanshawe, excuse me. Now I've got it right.

I said to myself, "Boy, in the next election I'm going to make sure our NDP candidate in London-Fanshawe has the comments from that Hansard," because clearly the member doesn't understand what his role is. His role is to advocate for his community, not abdicate in front of government pressure. If a member who represents a community is not prepared to come in and bring the community's view to this Legislature and fight on behalf of those constituents, you really wonder why the member comes here in the first place.

I've got to say to the member across the way that I purposely listened, because I knew the member would get up and speak. The comments made, I think, are quite amazing in light of what's going on, because the issue here is simple. Basically, the province of Ontario, as a government, went to the hospitals across this province and said that, one, by way of restructuring, and two, by way of budget cuts, hospitals are going to have to live within their means. Because they have not had the amount of money they've needed in order to keep up with the regular things that are going on—for example, people living longer, we have an aging population, our technologies and medicines are such that the treatments are more expensive and we have a larger population—hospitals across Ontario have not been able to keep pace with the needs that are being asked of them. As a result, because the government has not increased their budgets to match those needs, hospitals have to make difficult decisions.

In the case of London, the hospital is facing a \$60-million deficit, as I understand it. Correct me if I've got the numbers wrong, but that's what I've read in the documentation I've seen. What we've got is a hospital, which, because of pressure from the provincial government by way of not providing adequate funding, has to make decisions about which services it will cut from its roster of services.

The member runs into the House and hides behind a coroner's report that spoke about two of the 18 services that are being cut by that hospital. As I understand it, unless I'm wrong, the two services that the coroner recommended not be offered in London are now not being offered. That was something the hospital itself did, apparently in the year 2000. I'm going to look for the member from Elgin-Middlesex-London to clarify that point. What happened to the rest of the 16 or 17 services that are being cut as a result of this decision? They're not services the hospital wants to cut. As I understand it, they're not even services that were referred to in the coroner's report. They're services the hospital has to decide they can't offer because they don't have money to offer them.

So I say that a member of whatever party who represents a constituent had better be banging down the doors of the Premier's office and of the Minister of Health's office to protect those services and be seen to be



in the fight for the community, or else I think it's a bit of a problem.

I say that because I was a member of a government from 1990 to 1995 that had many difficult decisions having to do with funding issues because of the recession. Mr Speaker, you were a member of that same Legislature. I never ran into this House basically taking the line, "Let me repeat the government line on why my municipalities or why a hospital or why a school shouldn't get funding for a service." I was here in the House, as a member of the government, asking questions of the government to make sure my constituents understood I was on their side. Yes, I was a New Democrat and stood for most of what my government and my Premier, Bob Rae, did. But if it came down to a choice between my constituents and my government, I chose my constituents every time, because at the end of the day, those are the people who send you here and those are the people you have to represent. I say to the member from London-Fanshawe, don't come into this House spouting out the government line, because I think that's really dangerous stuff come the next election.

1700

The issue here is that 18 services are being cut, of which two were recommended by the coroner's inquest. The two that were identified by the coroner's inquest apparently are not being offered any more, and that was the choice of the hospital. What happened to the rest of them? That's also the issue here. Those communities don't want to see those services reduced, because they're services that are necessary for that community. It's a question of a promise made and a promise not kept. That's basically what is at issue here. From a government that for six or seven years in this House has stood on numerous occasions and said, "A promise made is a promise kept," here we have a good example of where we've been saying the government hasn't been keeping its promise. In fact, the government broke its promise.

What is even more interesting is that government members then came into the House wanting to introduce a motion that they say only the opposition can move because the rules don't allow them to do so. Hogwash. The members of the government could have gotten up and moved that motion by unanimous consent, just as I could now if I chose. In their motion the government members themselves are saying their own government broke its promises. I think that's an interesting statement on the part of government members when it comes to this whole issue.

I want to talk about another promise that was broken, and that goes back to what was said in the Common Sense Revolution in 1995. I happen to have my own copy of the Common Sense Revolution here, as printed by Mike Harris in the election of 1995. I want to read what it says about health care. Let's decide if those promises have been kept. It says on page 7, "Protecting Priority Services: Let's start with the top priorities, the essential services that Ontarians want to see protected," and it goes on to talk about health care. "We will not cut health care

spending. It's far too important," says the Common Sense Revolution. "And frankly, as we all get older, we are going to need it more and more."

Have we cut health services across Ontario since this document was introduced and since the government took power? All over the place—Mr Speaker, your hospitals, your community care access centres, your community health clinics, doctors, nurse practitioners, all kinds of health services have seen overall reductions in the funding. One of the communities I represent is Kapuskasing. Because the government has now refused to fund the no-doctors clinic in Kapuskasing, the no-doctors clinic is now funding, by way of its own money, a doctors' clinic in the community of Kapuskasing until January because last summer the government decided it was going to cut funding to that particular program through the underserved area program. As a result, we have thousands of people in that community who not only have no doctor but are going to have no ability to go to the no-doctors clinic, where we bring doctors in by locum to cover off patients who don't have doctors, and they're going to have to run to the emergency wards at \$300 and \$400 a pop in order to deal with health care services in that community. Looking at just what's happening in Kapuskasing when it comes to services at the Sensenbrenner Hospital and what's happening at the no-doctors clinic, they're having to rationalize services in that community because the government is not providing the type of funding they need to deal with the growth in the health care system.

Je regarde la communauté de Hearst. À Hearst, on a une communauté qui n'a pas de service de dialyse. On a présentement cinq ou six patients; j'aurais besoin de vérifier les derniers chiffres. Les patients qui ont besoin du service de dialyse n'ont aucun choix: soit qu'ils déménagent complètement de la communauté, soit qu'ils s'organisent pour se transférer trois fois par semaine à Kapuskasing pour aller rechercher le service de dialyse.

Ce n'est pas acceptable, dans mon opinion. Pourquoi le gouvernement refuse-t-il de donner l'argent nécessaire à l'hôpital Notre-Dame pour s'assurer que les patients de dialyse dans la communauté de Hearst ont accès à ces services dans leur communauté?

Le gouvernement nous a dit, quand on a lu la Révolution du bon sens en 1995—et c'est en anglais, parce qu'ils n'ont pas une version en français—qu'ils n'étaient pas pour couper les services de santé dans la province. Ils nous ont laissés avec l'impression qu'ils étaient pour s'assurer que les argentés nécessaires pour notre système de santé seraient en place.

Ça fait combien d'années qu'on demande des services de dialyse pour la communauté de Hearst? Où est le gouvernement dans cette situation? Ils ne sont nulle part. Ça veut dire que le gouvernement a brisé encore sa promesse qu'ils ont faite en 1995.

It goes on to say in the Common Sense Revolution, "Under this plan, health care spending will be guaranteed." Well, where's the guarantee to the people of London? Where's the guarantee for the people of

Kapuskasing or Timmins? There's been absolutely no guarantee that the funding to our hospitals will be maintained at the levels necessary to provide services. I look at the decisions that hospitals have to make all across this province to restrict services to the patients in their care because the government has not guaranteed the type of funding, contrary to the promise of the Common Sense Revolution, that they need in order to provide services to the community they service. So I say to the government that in the Common Sense Revolution you said you will guarantee funding. You've done no such thing. You've broken the very first two promises in the Common Sense Revolution when it comes to health care.

Then it goes on to say, "As government, we will be aggressive about rooting out waste, abuse, health care fraud, mismanagement and duplication." Well, that's one place where they have tried to keep their promise, because under the guise of rooting out duplication and waste, that's how they have got around to getting rid of services such as we're seeing in the community of London when it comes to these particular cardiac services for young people in that city and the surrounding areas.

It then goes on to say, "Every dollar we save by cutting overhead or by bringing in the best new management techniques and thinking, will be reinvested in health care to improve services to patients. We call this common-sense approach 'patient-based budgeting.'"

What a broken promise this one is. As a matter of fact, this last Friday I met with representatives of the Victorian Order of Nurses who provide nursing care in our community to the people who are discharged from hospitals throughout the district of Cochrane, Timmins, James Bay, all of the communities in between. They are telling me that they are in a position now where they have had the number of visits they were able to offer last year to patients in our community cut by 35%—34.5% to be exact. The government has said, in its Common Sense Revolution promise, "Every dollar we save by cutting overhead or by bringing in ... " new budgeting "management techniques and thinking will be reinvested in health care to improve services to patients."

The whole idea, I thought, was that as we made the restructuring in primary health care and we moved dollars that they used to spend in hospitals, which is primary health care, they were going to have an offsetting amount of dollars they were going to reinvest in the community by way of community care access centres and services in the community.

Has that happened? The answer is no, we're not seeing that. In fact, not only have nursing services been cut in the communities that I and all members of this Legislature represent, but also when it came to home care services for people trying to live at home with some independence once they've been taken out of the hospital. We have a situation where hospital budgets are basically not capable of responding to the need, so now the patients are being released quicker and sicker into our communities, and as a result they are needing services once they get back home. What have we got? CCACs

that are not getting the offset dollars that were supposed to be transferred from the hospitals as they "found efficiencies." The dollars were supposed to be transferred over to the community for community health care reform, and none of that has happened. They reformed the system, but they haven't put the dollars in.

Now you've got patients like a whole bunch of them that I've met with over the last three or four months where they've had their nursing care cut. For example, I was talking to some seniors not too long ago who had been released from hospital. Basically the nurse used to come in once a week to set up the medication so that the senior was able to take her medication when she was on her own. They would set up the pills in boxes according to the day. What has happened in her case now is that the nurse is only coming in every second week. So now this person gets a little bit confused, and she has admitted to me that she has actually mixed up her medication by dropping things out of the box and being not quite sure which medication she was to take when. She, like most people I know who are older, who are seniors, didn't want to bother the VON, didn't want to bother her doctor, so didn't say anything; she just took the medication accordingly. Luckily, nothing has happened to this woman, but what would have happened if she had happened to take the wrong set of pills at the wrong time? It's a question where it could have cost the woman her life, or it certainly could have cost the system a lot more money by having to treat somebody who's sick because of being improperly medicated.

1710

I say to the government that you think you're saving money by reducing services to the CCACs by way of funding, so that now VON has only got 35% of the visits they had last year, but in the end it's short-sightedness because we'll end up spending way more money if we don't properly take care of patients at the care level within the community.

The interesting part about what's happening in London is that we have four MPPs from that region and three of them are going to be voting against this motion and one will be voting in favour. I say to myself that's a pretty sad situation, because as I look at the numbers, it's one opposition member to three Tories: three Tories voting opposite, one opposition member voting in favour. It says to me that those people have to go back and try to figure out their responsibilities when it comes to advocating for their communities.

**Mr Caplan:** Marion Boyd would have voted in favour.

**Mr Bisson:** I know Marion Boyd would not only have voted in favour; she would have been in the House asking questions, as were other opposition members in this House. Not once have I heard a question raised by—now, in fairness to the minister, she can't ask a question. So I know by way of the rules, Dianne Cunningham, if she had the opportunity, is a smart enough politician that she would have been up on her feet asking questions. So I give the minister some credit. But on the question of the



two Conservative backbenchers, I haven't seen them once in this session or the last session get up and ask a question on this, but I've heard questions from my party and I've heard questions from the Liberal opposition party on this very issue. I say to the government members, you'd better figure out what side your butter is on. The last time I checked it's with the people who vote for you, so you'd better make sure you do your job in representing them.

I also want to take a few minutes to raise one other part of this that people have heard me speak on before in this House. It's a little bit removed from this debate and I'm hoping you're going to give me a little bit of latitude, Speaker. That is the failure of how this Legislature works when it comes to representing constituents. This is a really good example of where we find ourselves in this old British parliamentary system. We've got a first-past-the-post system where we elect members to the Legislature and we end up in a situation where a minority of people in the province of Ontario voted for the Conservative government, some 44% of them, yet they have a huge majority in the Legislature because of the skewed way that we end up with seats in the House. I have argued for a long time that one of the ways we would be better able to represent constituents is if we changed our voting system to a system of proportionality when it comes to selecting how many members are in this House. You would have an election just like we had last time, the members who got elected first past the post would still be the members in the House, but we would offset, by way of list members, people into the House in order to make sure that each party is represented by the percentage of members that reflects their overall vote, so that the Tories should have no more than 44% of the votes in this House, no more than 44% of the seats.

Why? Because in a case like this, London would have a chance of winning its battle. A few things would happen. Because the government doesn't have a clear majority, they would have to work with opposition members. I don't think we would have ended up in this situation in the first place, because the government would have needed to keep their two backbenchers in line, and those two backbenchers would have had a little bit of power to exert on their members and the cabinet in order to speak out on its behalf and keep the budget in place and keep those services in place; and they would have had to rely on some members on this side of the House as well.

My argument is that we end up in these situations, quite frankly, because the system that we have says that if you're a government member, basically you've got to vote for the government. That's clearly what we've got going on here today. We've got at least two of the government backbenchers who are going to be voting in opposition to this motion. Why? Because the government has exerted pressure on them and they have to vote with their government because it would be an embarrassment for them to have the opposition win its motion. I think that's a stupid way of doing business in this the new

millennium. You would think that at the very least the vote that goes on in this House should be reflective of what individual members call for. In this particular case, because of the system we have where Mike Harris with 44% of the vote in the last election has about 60% of the seats, he's going to be able to win this motion, because of the antiquated system of voting that we have in this province that says, "It doesn't matter if you got a majority of votes in the last election; you've still got a majority of seats in this House because we have the first-past-the-post system."

That's why I have always argued as a New Democrat that we need a voting system that basically says that the House reflects the proportion of the vote that parties have gotten. Yes, you can still select your members the same way: if member X got 42%, member X had the most votes, that member could end up in the House, but you offset the House by way of what happens when it comes to lists after that to make sure that we don't end up in situations that we've got now. I think this is a good example where proportionality would have served us a lot better in the end.

Just very quickly in the last few minutes that I've got, I just want to repeat yet again the cry that is coming from our communities—at least in mine, and I know certainly in yours, Mr Speaker, because I've heard you speak on this on a number of occasions as a caucus member and as a colleague in this Legislature—and that is the desperate need that we have to fund services in the community when it comes to community and long-term care. We have seniors, we have people with disabilities, we have patients who are being released from hospitals quicker and sicker, who are going into the community and are not getting the level of care that they need in order to be able to sustain them at home. I am really, really upset at what the government is doing in this way because, as you well understand, Speaker, those people are now more vulnerable. They have been released from the hospital quicker and sicker, they're now in the community without the level of care that they need to live independently at home while they're trying to regain their strength to be able to get back to work or whatever it might be—or in the case of a senior, to get back to functionality—and those people are not getting the level of care that they need to be able to go back home with some safety.

I hope I'm not right, but I predict this is going to become a huge problem across the province of Ontario by way of safety of patients, because you can't allow this kind of situation to carry on where patients are at home without the proper level of nursing services that they need in order to make sure that they're properly medicated and to make sure that if there is a problem, it's identified. Certainly, when it comes to people needing home care, we can't have a situation where people are feeling vulnerable because they're not getting the level of home care they need, so they'll be put in a position of being forced to make a decision to have themselves institutionalized much quicker, at a higher cost to the

taxpayers of the province of Ontario and, I would argue, against what their own wishes should be.

So I will vote in favour of this motion, because I believe it's the right thing to do, not only for the patients who are serviced by this particular hospital in London, but for patients across the province of Ontario.

**Mr Michael Prue (Beaches-East York):** The London Health Sciences Centre is a recognized and very good institution in this province, and we as people from Ontario should be justifiably proud of what has been built, how a community has come together, and how they have striven, all of them together, to build something that is Ontario-wide, Canada-wide and perhaps worldwide-renowned for the excellence of the health services provided. The people of London should be very proud and are very proud of having built such an institution. People anywhere in this province would be equally proud to have built something like that in their community. The people of London service a very wide area in south-western Ontario, and people come from all over—from Sarnia, from the Bruce—to attend London, Ontario, for the hospital, for the university, for the other things that are found there.

It is no different at all, I would suggest to all of you, than any community in this province, be it Ottawa, be it Sarnia, be it Windsor, be it Thunder Bay. When they strive together as a community to develop something and have it and show it with pride, they will all be very disappointed and be very angry, I can guarantee you, no matter where they are from, when such an institution is put in jeopardy. That's what in fact is happening in London today: an institution which they have built, which they have nurtured, which they have seen progress, is now in jeopardy.

In Toronto, in the community that I represent and where I have lived virtually all of my life except a small portion as a student in Ottawa, the same thing has happened with the closing of the hospitals. One might think that Toronto is a very different city, a very different experience, than one would have in London, Ontario, and probably some people would be right in making that assumption. But I want to tell you, even in Toronto when there was talk a few years ago of closing down hospitals, the people in the individual neighbourhoods came out en masse to try to protect their local institution, the one with whom they felt comfortable, the one where they went for their minor breaks or abrasions, the one where they collected money, the one that was in their neighbourhood. They were very proud of what they had built and what was there, and it was that pride, I would suggest to the members opposite, that has been bruised here as much as anything else, the pride in an institution which has always worked for them and which they see not as something that merely works but as something that has a future, something to be built upon, something that is and will become world-class.

1720

They are proud, as a community, of their ability to look after themselves. They do not have to travel to

Ottawa, they do not have to travel to Toronto, they do not have to travel to someplace in the United States or Europe to get the kind of care they are seeking for themselves and for their children. They are able to get that care at home. I want to tell all of the members opposite that to have that kind of pride should never, ever be tampered with. When one takes that on and says, "No, you're not going to have the facility here. You're not going to be able to do what you've done in the past, and have done so well," that takes a real deflation to a community. They start to wonder among themselves whether they are as good as they thought they were. There's a whole doubt that *creeps* into the debate and into their minds. No community should be tampered with. None of them should be told they can't have what they have spent generations developing. London is a very old city in Canada. It's one of the oldest ones. It has been there for a long time and it has a very proud history.

I'm going to go out of province just for a moment. If we look at what happened in Montreal yesterday, you'll see there was an election there for a civic government. The fury of the people from the west island of Montreal was absolutely immense. They delivered a person as the new mayor who was not the mayor of downtown Montreal, but somebody who was opposed to what was happening to them. What was happening to them was, one could say, in the course of an amalgamation debate and people were angry about amalgamation, but it was more than that. It was the collective response of the people of the west island of Montreal having something taken away from them that they valued as much as their citizenship itself. They valued the communities they had and what they had built there.

How are those people from Montreal, who came out in such numbers and voted against a government plan, any different from the people of London? How were they treated any differently? They were not. I would suggest to the members opposite that the fury of what happened in Montreal could conceivably happen in London over an issue like the hospital, because it has become a focal point to that community, a focal point to their dreams and their aspirations and something that they see unfairly being taken away.

The pediatric cardiac program is a good program. The coroner's office has suggested only two very small parts of an 18-part operation were not perhaps up to snuff by Toronto standards or a world standard. There is some argument, I would concede to the government, that some small portion of the operation that is taking place there might be better done elsewhere. However, this is an incredibly complex situation and there are many things that can and should be done locally. There is staff available to do it locally, there is the will to do it locally, there is the money to do it locally and there is a world-class institution in which it can be done. Moving the problem to another municipality, to another hospital, to another location would compound not only the problems for London but the problems as well for the new host municipality, be that municipality Toronto or be it



Ottawa. The hospitals in those two communities are at or near capacity, and it is very difficult to remove people who are being adequately dealt with in one community and move them to another community where there are waiting lists, where there are problems. You're just compounding it by moving people from one place to another.

There is also the incredibly human problem of moving people who are having complex operations from London to Toronto or Ottawa. The families have to accompany them in many cases, particularly when people are older or when they are children. One will know that in the city of Toronto there are institutions like the Ronald McDonald House, which does a terrific job for young cancer patients. It is not for the cancer patients that the house has been set up, but for the families, so that they can come here and be close to the young children who are facing immense problems in operations. It is that kind of institution which is set up to make sure that the families can feel at home here. But I will tell you, the families would rather be at home in London, Ontario, than at Ronald McDonald House in Toronto or a similar institution in Ottawa. They would rather be at home where their neighbours and their friends and their support groups and their work and everything else are, everything that they understand, everything they know, where they can go to work during the day and visit the child or the relative in the evening, which they cannot do if they cannot commute back and forth to a place like Toronto. It is that keeping together of the family and the community that is equally as important as the technical and medical expertise of the people who perform the operations and who do the medical work in the hospitals.

In my riding there is a wonderful hospital. It's called Toronto East General and it's being expanded, and I thank the government for that. It has been recognized for what it does and how it does it within the whole pantheon, within the whole group of hospitals that exist in Toronto. There are many, many hospitals in this city, but Toronto East General Hospital has carved out its own niche. It is a recognized expert in many, many fields in the east end of the city.

The community is very proud. People go out and they collect money. They go out to every and all manner of public event in order to tell the community the good works of the hospital. They are actively involved in building new accommodation because of the new and increased numbers of people they are required to serve. They are specializing within the region of Toronto to make sure that they can provide unique services not available anywhere else in the Toronto area. They are there working in conjunction with our poorly underfunded CCACs, community care access centres, to provide after-patient care in the homes of those who have to leave the hospitals, sometimes on very short notice after operations.

I can imagine that this is absolutely no different for the people of London, Ontario. They have similar groups, they have similar expectations, they have similar people

out there trying to raise funds, and they are as proud or prouder than I am of Toronto East General Hospital, prouder than the people of Beaches-East York are of the hospital that so brilliantly serves them in their local needs and the other hospitals in Toronto which are there for specialized purposes.

The physicians and surgeons have some real difficulties with what is happening in London, Ontario. I look to them, in the last part of my argument, for the incredible problem, the incredible difficulty that professional people have when a government comes in and simply announces they are going to close down a portion or a section of a hospital that has taken years to build up expertise, that has taken years to find qualified people and to staff it and to keep it going and to find the necessary synergy to make it a world-class operation. The physicians and surgeons have been very vocal in this debate and within the community of London, Ontario.

I'd just like to give a couple of quotes I was able to pick out of the newspapers which hit me very strongly as to the depth of their feeling. The first one is a very simple, short little quote, and it goes something to this effect: "The numbers used to make the scoping and sizing decisions were completely fictitious." That's what the physicians and surgeons—I think there were seven of them who put together a paper—said about the government exercise of the decision, and I say it again: "The numbers used to make the scoping and sizing decisions were completely fictitious." I believe the government should be taking a very clear look at what these numbers actually say and what they mean.

The second quotation is that the limits on pediatric services "compromise care of southwestern Ontario's sickest and most vulnerable children and adversely impact the missions of the medical school and pediatric research in London." It is to that last quote that I direct the last few minutes of my speech before this House.

#### 1730

Medical expertise takes a long time to develop. Most of you will know that at the turn of the century many of the practices that were undertaken then, everything from bleeding people who had already bled too much to giving drugs that had little or no use to surgery that was unnecessary and often resulted in people's death, were quite commonplace.

Today we look back and we see some of what was done as a medical practice and think, "How could they have been so foolish to have done such things?" Medical expertise has come a long way in Canada and in the world. What would have been impossible at the turn of the century is commonplace today. Today one can have open-heart surgery and go home after a few days, as happened to my father-in-law a number of years ago: in the hospital three days, bypass operation, four valves and home in three or four days. At the turn of the century, if you were lucky enough to have survived the operation, you, guaranteed, would have been in there for a couple of months. The same is true of appendicitis, which can now

sometimes almost be done as an in-and-out operation the same day, or eye surgery, which is done by lasers.

All of the wonderful medical things that have taken place in this century and the development of those skills have taken place because of institutions like the London Health Sciences Centre, where groups of men and women get together with a synergy, with an ability to study and to learn from each other, where they get together and are able to make a real difference in the community. They learn because they are a group that has proper funding and the wherewithal to train new and upcoming people to do the research and to practise the medicine.

To take that away, to take away the pediatric research in London, is to doom a city of considerable size and importance in this province to having to rely on the synergy and the expertise of other institutions, be they in Toronto or Ottawa or Thunder Bay or Detroit. I think none of us would want to admit or care to say that we in the province of Ontario could not provide the same level of service as our American counterparts. I think the people in London, Ontario, would not want to say that they could not provide the same level of service as the hospitals in Toronto or the hospitals in Ottawa.

With just two minutes left to conclude, the people of London, Ontario, have spoken very strongly—at least that's my understanding through reading the newspapers, the local newspaper, the London Free Press, and what has been reported generally on this situation. The doctors are angry, the parents are angry, the people of London, Ontario, are angry, and they are angry most and foremost because they see an institution which they value being taken away from them. They see an expertise which they have set up and worked for and nurtured and raised funds for being treated, I think, quite poorly. They see an opportunity in their community for medical research and a whole ability to be a tremendous scientific and medical centre in their own community almost flowing away, as sure as the river in their midst.

I am here in support of the motion of the opposition Liberals. I'm here in support because I think what they are suggesting is the right thing for their community. If this were the same in my community, if this was Toronto East General Hospital at risk over the same thing or over the same callous attitudes with the same level of research, I would hope they would come to the defence of the people in my community.

I am here for the defence of the people in yours, and I commend you for bringing this forward. I would hope that the members opposite would stand and support their communities in the same sort of way and understand that all of our communities are vulnerable—all of them are vulnerable—and as a province we need to stick together. We need to say within Confederation, within North America, that our communities are worth preserving, and that which we have built and that for which we are famous should be preserved.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I'll only take a second on this important issue because I

know somebody else wants more time. I would just like to say to the opposition that I definitely can support them if they can support our friendly amendment that was sent across to you. It really doesn't change a lot; it's a friendly amendment. I would hope they would accept the friendly amendment so that I could support them on this. I'll leave it at that.

**Hon Tony Clement (Minister of Health and Long-Term Care):** It's my pleasure and responsibility to join in this debate a little bit. I hope we've been able to shed some light as well as some heat on this matter.

I want to put on the record the additional meeting that I had with the deputy chief coroner today, which I think puts some light, at least for us on this side of the House and I think for all right-thinking parliamentarians, on the stakes that are involved. Really what is involved, on all sides of the House I think we can agree, is that we want healthy babies, babies who, if they have some difficulty, make it through their sojourn in hospital with the greatest chance for not only excellent care but excellent results. This is all about healthy babies, babies who, given the preponderance of technology, have a better chance at life rather than being another mortality statistic.

The information that I got from the deputy chief coroner today indicates to me without a shadow of a doubt that the issue of complex pediatric cardiac care at the London Health Sciences Centre is far more complex than just one or two particular procedures. In fact, the deputy chief coroner has reviewed 13 cardiac procedures, and over those two years there were 25 deaths, out of 56 who went through those 13 procedures. We're not talking about two procedures here, with statistics that he found alarming; we're talking about 13 different procedures. Those two procedures might be the canary in the coal mine. They might indicate, and they certainly do to the deputy chief coroner, a further issue here. But he has assured me, and I'd like to put this on the record, that there is a higher level of mortality among 13 different procedures at the London hospital.

This is an issue that I think has to be dealt with. I think every right-thinking person would want those babies to be healthy, rather than face an excessive, in my view and in the deputy chief coroner's view, risk of mortality. That is why on this side of the House we can't just automatically support the motion as it appears, although the amendment would be a much better way to deal with it. We cannot support the motion as it appears because, quite frankly, it could lead to needless mortality among babies. I, for not only the reason of being Minister of Health but for more reasons, cannot support the motion as written by the Leader of the Opposition, because in my view it affects infant mortality.

**The Deputy Speaker:** Before we go on to further debate, if I could just ask the members—there were about four or five conversations. We're getting close to the wrap-up of the debate. Just keep them quiet or take them outside the chamber. That would be much appreciated.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** And sit in your own seat.



**The Deputy Speaker:** Thank you, Minister.

Further debate.

Take your seat, please.

*Interjection.*

**The Deputy Speaker:** The deputy leader for the official opposition, I just finished asking for co-operation and you promptly ignored it. Please come to order. Thank you.

Further debate.

**Mr Peters:** Thank you, Speaker. I would just like to point out that according to standing order 42(j), "No amendment may be made to a motion under this standing order." I'd just point that out.

There are a number of issues that need to be addressed here. I would like to talk about some of them. First off, the member for London West made the comment that we're only looking at one program here and that the majority of the recommendations are widely accepted. I'd like to point out to the member that he's wrong. If he would read some of the correspondence that has been provided to his office by doctors in the London community and read some of the letters to the editor from physicians in the London area, he'd see that there is concern about such programs as the burn unit, the cardiac transplant program, the pediatric cardiac surgery program, the complex pediatric cranio-facial procedures, the endovascular aneurysm surgery program. It's not just one program that we're talking about here. There are a number of programs that need to be addressed. We need to express our concern, and that's what this resolution is all about.

1740

I think it's important to point out that there's a lot of reference made to outcomes and research. In some of the research that's being used to support this decision for pediatric cuts, the article that's most often quoted by members of the hospital administration and individuals in defending the cuts was published in 1995. I'd point out—this is a letter to me—some of the highlights of both articles to argue that there is no sufficient basis for the cuts to the pediatric program at the children's hospital. So in other words, the documents don't back it up.

This is most interesting. The most commonly quoted number is that it's necessary to do 250 to 300 surgical cases a year. I'll tell you, ladies and gentlemen in this Legislature and ladies and gentlemen across this province, we'd better be concerned, because you listen to this. This isn't going to be the only program threatened. There are other programs that are going to be threatened. To my knowledge, there are only two centres in the country that have performed more than 300 cases per year: Sick Children's in Toronto and the children's hospital in Edmonton. Using these arguments that this government is using to justify this program means we would see programs in Vancouver, Halifax and Ottawa cut as well. So you can't use those arguments.

I'd like to make some comments. It's amazing how this government and its members are speaking from the same song sheet on this issue and where they are hanging

their hats. They are hanging their hats on the coroner's office. I'd just like to ask the question, how many times has the coroner's office come in and commented on a hospital board decision? I bet it hasn't happened very often, and I'd like to know who on the other side was playing some monkey business and arranged for the coroner to come in. I know if Dr Lee had stayed in London, the coroner would never have shown up. Something is wrong with this, and that's a whole other issue.

Let's deal a bit with the coroner. The coroner was in London last week, and the coroner spoke to the parents. But it's most interesting. The minister today talked about 13 surgical procedures, but when the coroner met with the parents last Friday, the coroner was extremely clear. He was talking about two procedures out of 35, not 13. So where did this 13 number come from now all of a sudden? Again, this just adds to the whole complexity of the issue. He talked about two procedures and recommended that if you can't enhance the program, you stop doing them. But do you know what? In December 2000, the hospital took heed of what the coroner said and they stopped doing those procedures. The coroner did not recommend the shutdown of the whole pediatric care program. The coroner talked specifically about two programs, not the whole program. There's something wrong here.

As I say, they stopped in 2000, but this is what the coroner had to say on Friday in London to the parents: that when it stopped those procedures, the London Health Sciences Centre mortality rates were lower than at Sick Kids. The clinical outcomes were better. They had a zero mortality rate. So there's something wrong here on this issue.

The member for London-Fanshawe made a comment that never has this whole debate been about money. I want to point out to the member for London-Fanshawe, had he read the media release that the hospital put out on October 3, 2001, question number 2—they do these questions and answers to kind of prompt you and help you along. Question 2: "Why are you discontinuing some services and procedures?" It goes on, "Many are well known: a national shortage of medical specialists, escalating costs, an aging population and the need to balance budgets." I say to the member, it's all about money. That's what this is all about.

The member for London North Centre talks about the great videos that she saw in London at St Joseph's Health Centre. St Joe's is doing a great job; I've got nothing but praise. But you know, one of the surgeons in these programs was used in the video. In March 1999, Dr Lee, the former head of this cardiac program, was approached by the hospital to appear in one of these feel-good videos that the government puts out. Commercial number 3 that aired in 1999 was Dr Lee and the great cardiac surgery program at London and how the government was investing. They used Dr Lee. You used Dr Lee. I've got the video upstairs if you want to have a look at it. I would encourage you to come and have a look at it.

I was really taken aback at the references today to the scoping and sizing report, because last week I had my office contact the London Health Sciences Centre to see if I could have a copy of the scoping and sizing exercise. You know what? I was told I couldn't have it, and yet the member holds it up in this Legislature today, making reference to it and flipping through it, but it was never ever made available to me as an area MPP.

What we need to look at is this whole process that's taken place here, because we had some recommendations that the board of governors made on October 2 and 3, 2001. This is a copy of part of what I'm sure the honourable minister was referring to earlier that I haven't had access to, that I had given to me. In the final recommendations they recommend scoping out pediatric rheumatology, pediatric major craniofacial surgery and pediatric cardiology. That's the final report. This is the report the board sees, but what troubles me is the process that the hospital set up, and I think every one of you should be concerned because this might be going on in your own backyard at one of your hospitals.

During this scoping and sizing process what they did at this hospital was, they formed little groups. They were called cluster groups. There were about 14 cluster groups and each was responsible for making recommendations. There was the pediatric cluster group. The pediatric cluster group formulated its own recommendations about what they should do with their program. The pediatric cluster group then passes on their recommendations to the steering committee, then the executive leadership team and then ultimately the board, but here's the odd thing—not odd; I think bizarre and sad. I sent it to the members today because I hope they read this. When you look at what the board approved and what the doctors, the experts, approved, they're not the same.

The pediatric cluster group recommended pediatric burns and rheumatology be cut out. They talked about enhancing the pediatric cardiology program; they didn't talk about cutting it out. So how does it change that the pediatric experts recommend one thing and somebody else recommends something else? Where did that come from? That's the real question. That's only one report of possibly 14.

We should see all the reports, because I think we'd find out some of these other programs I mentioned probably didn't have those recommendations made. I've talked to doctors who have said that their program was misrepresented to the board; their program did not contain factual information. Somebody has played some serious games here, and I would hope that my colleagues from London would be asking these very questions. There are four of us who represent London, and we've got to speak up and do what's in the best interests of health care in southwestern Ontario. I don't think that's happening here.

Let's look at some of the issues. This is what the pediatric group said. The pediatric cluster planning team believes "it takes a village to raise a child."

"This village requires the unique, comprehensive array of pediatric subspecialists and interdisciplinary care givers known in southwestern Ontario.... Any decision by LHSC to limit pediatric services to primary and secondary care to children from London and Middlesex will rapidly result in CWHO being unable to sustain its role as a regional pediatric tertiary centre and compromise the care of southwestern Ontario's sickest and most vulnerable children."

Did you hear that? And you're prepared to stand up and support a resolution to allow this to happen? Shame on you. I think that **every one of us** in this Legislature today should be concerned about what's going on in London because, as I said, this could be going on in your own backyards. I would hope you would take off your party colours, take off your coats and stand up for your constituents and do what's best for your constituents and not toe the party line, not be a puppet. That's what you guys look like right now; you look like puppets.

**Mr Mazzilli:** You're Elmo right now.

**Mr Peters:** I don't mind being Elmo. You stand up like puppets and quote the party line. Why don't you do the right thing? Stand up and do the right thing for your constituents and vote for this motion that's here in front of us today. You've abandoned your constituents and you're abandoning the constituents of southwestern Ontario. I urge you, I plead with you, stand up and do the right thing: vote for this.

**Mr Wood:** On a point of order, Mr Speaker: I would ask unanimous consent of the House that the following resolution be voted on at the same time as this opposition motion is voted on today. The resolution is as follows—

**The Deputy Speaker:** Hang on. Before you go into the specifics, do I have unanimous consent? I heard noes, so the request is denied.

*Interjections.*

**The Deputy Speaker:** Order, please.

Mr McGuinty has moved:

That the Ontario Legislative Assembly calls on the Conservative government to keep its specific campaign promise to working families across southwestern Ontario by maintaining and protecting the specialized pediatric and other specialty programs now at risk at the London Health Sciences Centre.

Is it the pleasure of the House that the motion carry?

All in favour of the motion will please indicate by saying "aye."

All those opposed will please say "nay."

In my opinion, the nays have it. Call in the members; this will be a 10-minute bell.

*The division bells rang from 1751 to 1801.*

**The Deputy Speaker:** Would the members please take their seats.

Those members who favour the motion will please rise one at a time and be recognized by the Clerk.



**Ayes**

Agostino, Dominic  
Bartolucci, Rick  
Bisson, Gilles  
Bountrogianni, Marie  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Caplan, David  
Churley, Marilyn  
Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph  
Crozier, Bruce

Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Kennedy, Gerard  
Kwinter, Monte  
Lalonde, Jean-Marc  
Levac, David  
Marchese, Rosario  
McGuinty, Dalton  
McLeod, Lyn

McMeekin, Ted  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Prue, Michael  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Sergio, Mario  
Smitherman, George

Clark, Brad  
Clement, Tony  
Coburn, Brian  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder

Kells, Morley  
Klees, Frank  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Miller, Norm  
Munro, Julia  
Murdoch, Bill  
Mushinski, Marilyn  
Newman, Dan

Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tilson, David  
Tsubouchi, David H.  
Tumbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Wood, Bob

**The Deputy Speaker:** Those members who are opposed to the motion will please rise one at a time and be recognized by the Clerk.

**Nays**

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Beaubien, Marcel  
Chudleigh, Ted

Hardeman, Ernie  
Hastings, John  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert

O'Toole, John  
Ouellette, Jerry J.  
Runciman, Robert W.  
Sampson, Rob  
Snobelen, John

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 37; the nays are 47.

**The Deputy Speaker:** I declare the motion lost.

It now being after 6 of the clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1805.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
<b>Baird, Hon / L'hon John R. (PC)</b>	Nepean-Carleton	Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Bartolucci, Rick (L)	Sudbury	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
<b>Brown, Michael A. (L)</b>	Algoma-Manitoulin	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	deputy opposition whip / whip adjoint de l'opposition
<b>Carr, Hon / L'hon Gary (PC)</b>	Oakville	Speaker / Président
Christopherson, David (ND)	Hamilton West / -Ouest	
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Churley, Marilyn (ND)	Toronto-Danforth	
<b>Clark, Hon / L'hon Brad (PC)</b>	Stoney Creek	Minister of Transportation / ministre des Transports
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
<b>Clement, Hon / L'hon Tony (PC)</b>	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Coburn, Hon / L'hon Brian (PC)</b>	Ottawa-Orléans	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
<b>Cunningham, Hon / L'hon Dianne (PC)</b>	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	
DeFaria, Carl (PC)	Mississauga East / -Est	Parliamentary assistant to the Minister of Citizenship / adjoint parlementaire au ministre des Affaires civiques



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Di Cocco, Caroline (L)	Sarnia-Lambton	
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	opposition House leader / chef parlementaire de l'opposition
Dunlop, Garfield (PC)	Simcoe North / -Nord	Parliamentary assistant to the Minister of Education and government House leader / adjoint parlementaire à la ministre de l'Éducation et leader parlementaire du gouvernement
<b>Ecker, Hon / L'hon Janet (PC)</b>	Pickering-Ajax-Uxbridge	Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement
<b>Elliott, Hon / L'hon Brenda (PC)</b>	Guelph-Wellington	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales
<b>Flaherty, Hon / L'hon Jim (PC)</b>	Whitby-Ajax	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire à la ministre de la Formation et des Collèges et Universités
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	Parliamentary assistant to the Deputy Premier and Minister of Finance / adjoint parlementaire au vice-premier ministre et ministre des Finances
<b>Harris, Hon / L'hon Michael D. (PC)</b>	Nipissing	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
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Kells, Morley (PC)	Etobicoke-Lakeshore	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Kennedy, Gerard (L)	Parkdale-High Park	
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / -Centre	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Levac, Dave (L)	Brant	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
<b>Martin, Tony</b> (ND)	Sault Ste Marie	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Minister of Tourism, Culture and Recreation / adjoint parlementaire au ministre du Tourisme, de la Culture et des Loisirs
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	
Molinari, Tina R. (PC)	Thornhill	Parliamentary assistant to the Minister of Community and Social Services and Minister responsible for Children / adjointe parlementaire au ministre des Services sociaux et communautaires et ministre déléguée au dossier de l'Enfance
Munro, Julia (PC)	York North / -Nord	Parliamentary assistant to the Minister of Transportation / adjointe parlementaire au ministre des Transports
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
<b>Newman, Hon / L'hon Dan</b> (PC)	Scarborough Southwest / -Sud-Ouest	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Ouellette, Jerry J. (PC)	Oshawa	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
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Prue, Michael (ND)t	Beaches-East York	
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Sorbara, Greg (L)	Vaughan-King-Aurora	
Spina, Joseph (PC)	Brampton Centre / -Centre	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
<b>Sterling, Hon / L'hon Norman W.</b> (PC)	Lanark-Carleton	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises



<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
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Tilson, David (PC)	Dufferin-Peel-Wellington-Grey	Parliamentary assistant to the Attorney General and minister responsible for native affairs / adjoint parlementaire au procureur général et ministre délégué aux Affaires autochtones
<b>Tsubouchi, Hon / L'hon David H. (PC)</b>	Markham	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
<b>Turnbull, Hon / L'hon David (PC)</b> Wettlaufer, Wayne (PC)	Don Valley West / -Ouest Kitchener Centre / -Centre	Solicitor General / solliciteur général Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
<b>Wilson, Hon / L'hon Jim (PC)</b>	Simcoe-Grey	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
<b>Witmer, Hon / L'hon Elizabeth (PC)</b>	Kitchener-Waterloo	Minister of the Environment / ministre de l'Environnement
Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Minister of Correctional Services / adjoint parlementaire au ministre des Services correctionnels
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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 5 November 2001

Lundi 5 novembre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 5 November 2001

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 5 novembre 2001

*The House met at 1845.*

## ORDERS OF THE DAY

### OAK RIDGES MORaine CONSERVATION ACT, 2001

#### LOI DE 2001 SUR LA CONSERVATION DE LA MORaine D'OAK RIDGES

Mr Kells, on behalf of Mr Hodgson, moved second reading of the following bill:

Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan / Projet de loi 122, Loi visant à conserver la moraine d'Oak Ridges en prévoyant l'établissement du Plan de conservation de la moraine d'Oak Ridges.

**Mr Morley Kells (Etobicoke-Lakeshore):** I move second reading of Bill 122, and I will be sharing my time with the members for Oak Ridges and for Simcoe North.

**The Deputy Speaker (Mr David Christopherson):** Order. The floor is open for debate. The member for Scarborough East.

**Mr Steve Gilchrist (Scarborough East):** Thank you very much, Mr Speaker. I certainly appreciate the indulgence of the member from Etobicoke-Lakeshore. The standing committee on general government will be meeting at 7 o'clock, and this is my only opportunity to participate in this leadoff debate. I believe Mr Kells has also indicated that this hour will be shared with the member from Oak Ridges and the member from Simcoe North, two people who care just as passionately about the issue before us here today.

This has to fall into the category of good news. There is no way any reasonable person, having heard the announcement this week on the protection for the Oak Ridges moraine, would have been anything but elated, not just at the end of result but at the process that has worked to such a degree, facing all the criticism, all the cynicism, even as recently as this past spring when the six-month freeze was implemented on all projects, on all new work taking place on the moraine.

There were people who said the government wasn't serious, that this was not going to translate into a tangible saving of the important natural resource we call the Oak Ridges moraine, but was just an artifice to get through a particular by-election. I'm going to tell you that on Rouge Park Day, July 20, 1999, as the then Minister of

Municipal Affairs and Housing—Rouge Park, by the way, being the world's largest park in an urban setting, another accomplishment of our government in its first term—I indicated that I was committed to protecting all the environmentally sensitive portions of the Oak Ridges moraine and in the next breath said I was looking forward to working with all the stakeholders on the sort of consensus we've seen take place today.

I'm not going to belabour the very obvious history of what happened after that when certain developers decided they didn't like the idea of a government and a minister that were committed to such bold environmental initiatives. But might I suggest that those same developers, probably one in particular, is rueing the day he decided to use character assassination as a way to influence government policy. There is no doubt that this has come about infinitely faster than I or anyone else could ever have moved the yardsticks by just working through the normal process within the cabinet and within caucus.

The fact of the matter is, we have the irony that the media for the first time in any of our lives actually started talking about the Oak Ridges moraine, talking about the significance of the flora and fauna and, most importantly, the aquifers, the source of the water in 65 streams, creeks and rivers. In fact all the major rivers running down to Lake Ontario for a stretch of 160 kilometres find their headwaters on the Oak Ridges moraine. It was staggering that we had never seen in the history of this province a legislative initiative that would actually guarantee the protection of this unique and invaluable resource.

It's interesting to note, just as a sidebar, that all but two of the parks and preserves that exist in Ontario today were created by Conservative governments. That is the true legacy of Conservatives throughout the decades. That is in fact our commitment to the environment. The smoke and mirrors others opposite would throw up do not pass muster when you compare that with the very tangible actions we took, particularly in our first term—Living Legacy—and specifically as it affected my riding and the ridings in eastern Toronto and the GTA, the Rouge Park.

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But let's get back to the issue of the Oak Ridges moraine. This is a comprehensive plan that deals with the moraine from one end to the other and allows us to say that 100% of the environmentally sensitive features of the Oak Ridges moraine and the aquifers underneath it have been protected, absolutely guaranteed, immune from all future scrutiny and possible political intrigue—



on the assumption this bill passes, of course. The fact of the matter is, it clearly laid out the differences between the parts of the moraine that were environmentally significant and other areas that, because they tend to be scrubland or areas immediately adjacent to existing settlement areas, were not nearly as important in terms of environmental sensitivity. The developers believed the whole moraine was up for grabs, but even the environmentalists told us it would be irresponsible to talk about banning anything ever being done on 100% of the moraine. Their goal, and our goal, was to do the most intensive, the most detailed survey and scrutiny of this landform, so that we could stand here today absolutely confident that our commitment to save 100% of the environmentally sensitive features was a sincere and realistic one.

I am immensely grateful for the work done by the staff in the Ministry of Natural Resources; the staff in the Ministry of Municipal Affairs; Minister Hodgson, of course; my colleagues, like Frank Klees in particular, in the riding of Oak Ridges, but many other members whose ridings are either on the moraine or within the watershed of the rivers that come from the moraine. All of them continued a crusade within the caucus and continued to make sure that in every possible forum their constituents and their colleagues knew this was an issue we were not going to let up on, and we did not.

We are also of course immensely grateful to the people who served in volunteer capacities on countless organizations for years before any announcement ever came out of this building, people who lived on the moraine or who had travelled through it, who recognized the importance of the environmental features, but who had never been able to garner that media attention. One person in particular, Debbe Crandall from the Save the Oak Ridges Moraine Coalition, observed that it was a good day to get 30 people showing up to a meeting in the early 1990s who knew enough and cared enough about the moraine to actually take a few hours out of their day to try to raise the profile of this issue.

As a result of the media attention to this issue that was generated in the fall of 1999, we had 3,000 people show up at Richmond Hill council and make it extraordinarily clear to the municipal politicians that their original plan to approve thousands of new homes on environmentally sensitive portions of the Oak Ridges moraine was all wet and wasn't going to pass muster. The councillors did the right thing. They did a 180. Then York region reversed its position, and the city of Toronto ponied up, I think, \$1 million in financial support for certain environmental groups who took on the developers at the Ontario Municipal Board and made great progress.

But all those issues are now moot, because as part and parcel of this announcement, as part and parcel of this plan, I'm immensely proud of the fact that we have been able to cobble together an arrangement, a land swap to guarantee that 1,000 more acres currently in the hands of developers, currently facing imminent destruction had the OMB made a ruling in favour of these developers, in a

part of the moraine that's particularly sensitive because there isn't much of a corridor left around Yonge Street in Richmond Hill—the good news is that those lands have now come back into public ownership in exchange for lands in the north end of Pickering that by consensus dating back through all three parties' terms in office are quite worthy of development, are immediately adjacent to the built-up areas in Pickering, are on major corridors and are not on the moraine. There will be some who posture and suggest that now we should stop all development there. I think that if we're going to be realistic, we should understand that as long as 52% of all the immigration to Canada comes to the GTA, we need to find places for those people to live.

Part and parcel of it, though, is the second benefit to having created such strong protection for the moraine. The first benefit, of course, is the absolute environmental wonder that will be the moraine in the years to come. It will be like clawing back Algonquin Park. If any government in the future should have the belief that somehow that's an option when it comes to land use planning, it is frozen for all time now. We know that that means the trees, the flora, the fauna and the aquifers are protected for all time.

But the second benefit, probably equally important, is that for the first time now, when you look at the Niagara Escarpment to the west, coupled with the Oak Ridges moraine to the north and running well to the east of the GTA, we have created a barrier against future urban sprawl. We have created an opportunity to better manage the growth that absolutely will be part of the future of Toronto and its sister municipalities. There will be a million more people living in Toronto and the GTA in the next decade, but now they will be living in more appropriately designed, more intensively planned communities where we don't need to build massive new highways, we don't need to build hospitals and schools and new sidewalks and street lamps where right now farmers are planting hay. We'll be able to redevelop lands like Ataratiri at the foot of the Don River. We'll be able to develop the Downsview air base. We'll be able to develop all sorts of former industrial properties, the so-called brownfield sites, as homes for thousands—indeed hundreds of thousands of people—in the years and the decades to come, at far lower cost to our society and, quite frankly, far less damage to our environment.

It's a rare day indeed that a government and, in this case I would challenge, all members of this Parliament have an opportunity to do something that's downright visionary. It is very easy to succumb to the temptation of worrying about the headlines in tomorrow's newspaper rather than the legacy you will leave behind after your years of service in this House. It is very easy to say that there will be people who are upset by a particular decision, both ways, and succumb to the inertia to do nothing. The old saying in this business: "If you do nothing, you can't do anything wrong."

The problem is, when you're talking about something as important, as significant, as vast as the Oak Ridges

moraine—it was suffering a death by a thousand cuts—it took a comprehensive plan, not piecemeal. Don't just worry about Richmond Hill, don't just worry about Markham; you've got to guarantee that the same level of protection applies from one end of the moraine to the other. The same guarantee of the purity and the pristine nature of this moraine being protected forever had to be and was the goal of our government. That was the result of the plan that is now embodied in this legislation.

The legacy, the payback, of this decision is not going to be something we'll particularly see in the next two years before the next election. The payback will be 20, 50, 200 years from now, when people, our descendants, living in the city of Toronto or Mississauga or Pickering, have, within a few minutes' drive, access to an extraordinary natural preserve, the likes of which no other large city in the world will be able to boast. That is what we are doing here.

Yes, it will protect the environment. Yes, it will guarantee that the future growth and development of Toronto and the GTA is done in a far more effective and managed way, but it also sends a message. It sends a message to people who are cynical about politics and politicians that, from time to time, we do get it right. We do make decisions that are very visionary in their impact.

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I believe that there are no failings in the law that's been introduced before us here today. I really submit to the members opposite that while we could all quibble about saving 1% more here or there or moving it from the natural corridor and the natural linkage areas, I would remind you that what you see before you is the result of a consensus of all the stakeholders who have a vested interest far greater than any of us. They live there; they work there; they generate their income there. These are the people, all of whom came to a consensus of what the vision for protecting the Oak Ridges moraine should look like. I think we've seen ample evidence from the environmental community, and we sure heard it on Thursday night at the Charles Sauriol dinner, where Robert F. Kennedy Jr himself paid tribute to the actions our government has taken. When we hear those sorts of glowing tributes coming from a very ardent Democrat but also an internationally renowned environmentalist, I think we can say we've headed down the right path.

I'm going to yield to the other members of the caucus who wish to speak to this. But in closing I want to thank everyone who has joined this campaign, who has joined this crusade. It was an extraordinary, worthy goal, and I think everyone who has participated in this process, inside and outside this building, can be immensely proud of the result and can tell all their friends and neighbours that they were part of creating the single biggest environmental preserve in the history of Ontario anywhere near the major population centres and something that is going to live through the generations as a legacy all of us can be very proud of.

**The Deputy Speaker:** Further debate?

**Mr Frank Klees (Oak Ridges):** I want to start by first congratulating my colleague the member for Scarborough East, who has just spoken, for his leadership while he was minister, and, perhaps more important, for the continued pressure he placed not only on his caucus colleagues but also on cabinet colleagues on this issue.

I, as the member for Oak Ridges, became very much involved in this issue. As a matter of fact, I was probably aware of the Oak Ridges moraine long before some members of the opposition knew how to spell "moraine." The interesting thing is that as with all things, this soon became a political football that was played by many people and unfortunately was the cause of polarization within our communities. Many times it wasn't reason that prevailed. A great deal of emotion entered this debate, and understandably so, because what was at the heart of this debate was the role the provincial government was going to play in protecting the sensitive areas of the moraine.

I for one felt from the beginning that it was important that there be strong provincial legislation in place that would clearly set out which lands could be developed and which lands were off the scale of development because of their sensitivity, so there would be a clear framework—whether it be the Ontario Municipal Board that would have the responsibility to make decisions or whether indeed it would be the municipality as it accepted applications for development—for landowners, for developers, for the public as to what is appropriate, what would be allowed and what wouldn't be.

In Richmond Hill we had a great deal of controversy. There were meetings that took place till all hours of the morning, which were attended by people not only from the immediate area but, I know, from across the GTA and even further. When they realized that what was at stake here was perhaps losing once and for all a lot of these very sensitive areas, these precious headwaters and the natural resource we have in this rich area called the Oak Ridges moraine, people came together. They lobbied the government, they took a stand, and to their credit there was a great deal of very good debate that took place. There were experts who came forward on both sides in terms of arguing for either a 100% freeze on the moraine or allowing some development on the moraine in those areas that weren't as sensitive.

At the end of the day, what have we here today? This bill before us in fact protects 100% of the sensitive areas of the moraine from future development. The Oak Ridges Moraine Conservation Act, 2001 includes a great deal of protection that otherwise would not have been there. The Oak Ridges Moraine Protection Act, as you well know, was passed in this House unanimously; in fact a rare occasion that a bill would be passed first, second and third reading. It was done here because of the importance that members of this House place on the Oak Ridges moraine. That bill placed a six-month moratorium on development on the Oak Ridges moraine. That sunsets November 17, and that's why it's so important that this bill that is before us today receive approval with the



appropriate debate, with the appropriate changes that may yet have to be made to this bill in terms of some of the technical issues.

Again, I want to commend the Minister of Municipal Affairs and Housing for his vision not only in terms of the need to bring this legislation forward, but also in having seen the wisdom of creating that pause period, that six-month period, when basically people involved in the various aspects of this debate were asked to cool down and to allow cooler heads to prevail. It was during that period of time that the advisory panel to the minister did, I believe, incredible work.

There were doubters on all sides as to whether or not a process like this would be meaningful, and the potential was there to further polarize the community, to further polarize the interests that were involved in this debate. But that is not what happened, to the credit of the people on this advisory council, and I want to thank them on behalf of the government, I'm sure on behalf of all Ontarians, for the many hours, weeks and months of work that they put into getting this job done.

We also concurrently, as that process was going on, realized that regardless of what came forward out of that advisory panel's recommendations, we still had an issue with lands that were primarily situate in Richmond Hill that were before the Ontario Municipal Board and that already to date had cost millions of dollars to the proponents of the development, to those who were opposing the development, to our government, and there had to be found a way to deal with that very contentious issue.

I commend my colleague the Minister of Municipal Affairs and Housing for seeing the wisdom in setting up an off-line process that was chaired by David Crombie, whose task it was to bring the parties together and to resolve the issue. Again, most people who were observing that process said this would never happen, and in fact as the story is told now, there was no deal until basically midnight of the day that the minister announced this legislation.

In the end, the deal that came about—my colleague from Scarborough East referred to it—basically takes the lands that were involved in that process out of play for development and effects a swap of lands, a trade of lands that are owned by the provincial government in Pickering. The developers will go there and they will build their homes, but in a planned community, in an area designated many years ago for potential development in, I think, the host community there. While there are some concerns now that perhaps we are imposing development on an area that may also have some sensitivities relative to the environment, let me be clear that all or any applications for development that come forward for those lands would also have to be subject to the environmental hurdles that are being put in place by our government.

1910

I think it's important for the people in this province to understand the significance and the far-reaching implications of this legislation. As someone who was, quite

frankly, found offside with his own government on this issue in the past—and the Speaker will know, particularly for someone who is in cabinet, to take a position that is not consistent with government policy isn't an easy position to take. But I felt that it was important. I was convinced that in fact it was the right thing to do, that our government show leadership in this area. It was a long road. It was not an easy one. I was not alone in this, because there were others within our caucus, and as the member for Scarborough East indicated, he certainly was on the forefront of leading the charge on this. I believe the initiatives of the public, members of the opposition as well and ultimately the lead of this government have given us a significant piece of legislation that I trust all members of the opposition will also support when it comes to third reading, or certainly at the end of the debate on second reading. But ultimately I would hope that we would have quick passage.

This legislation would require all new Planning Act applications made on or after November 17, 2001, to conform to the proposed Oak Ridges moraine plan. The Oak Ridges Moraine Conservation Act and plan would protect natural and water resource features on the moraine, it will preserve agricultural land and it would direct development to those approved settlement areas that are designated by the province for settlement. Within 18 months, municipalities would be required to amend their official plans and zoning bylaws to conform to that proposed plan, which would be ecologically based. I think for the first time in our province's history we have a recognition that this piece of property, this land that stretches right across the GTA, is deserving of this kind of protection. There are other moraines across this province that are equally as sensitive and I really believe that it will fall to the leadership of our government to show the same kind of concern for many of these other sensitive areas across the province.

This legislation would include strong policies to protect water quality and quantity, and there's a great deal of awareness across this province today of the importance of protecting our water sources, because at the end of the day, if we pollute the waters at the headwaters, then the results are self-evident.

We will err on the side of caution when it comes to managing storm water, because it has a great deal of potential to contaminate groundwater. The plan, as a result, would require innovative storm water management practices to protect sensitive recharge areas and to prohibit technologies that cause rapid infiltration of storm water into groundwater.

Limits would be placed on the amount of impervious or hard surfaces within watersheds. This again is needed to protect the natural hydrogeological cycle, to maintain groundwater recharge and to reduce potential flooding and erosion.

The proposed plan would require municipalities to delineate wellhead protection areas for all new existing municipal wells. They would also have to prepare management plans to control and restrict activities that can

harm groundwater. Certain uses that have the potential to contaminate groundwater would also be prohibited in hydrogeologically sensitive areas. These uses could include, for example, underground storage tanks, toxic or hazardous material storage, auto wrecking or salvage yards and the retail sale of gasoline.

For all natural core, natural linkage and countryside areas, upper- and single-tier municipalities must prepare watershed plans and incorporate those plans into their official plan. These watershed plans would have to include a water budget and a water conservation plan. They would have to contain criteria to protect water quality and quantity and hydrogeological features and functions. They would also have to include a framework for implementation, which includes more detailed plans covering smaller areas, such as subwatershed plans and environmental management plans. These watershed plans would have to include an environmental monitoring plan and they would have to include environmental management practices such as pollution prevention, reduced pesticide use and road salt management.

In addition to water resources, the plan would include policies to protect the health, diversity, size and connectivity of significant natural heritage features. These include wetlands, significant portions of the habitat of endangered and threatened species, areas of natural and scientific interest, usually referred to as ANSIs, significant valley lands, significant woodlands and significant wildlife habitat.

The only development or site alterations that would be permitted in these natural features would be those associated with fish, wildlife and forest management. Essential conservation and flood or erosion control projects would also be, of course, included; necessary transportation, infrastructure and utilities and low-intensity recreational uses such as hiking, unserviced camping and picnicking.

There has been a great deal of debate, particularly within the Richmond Hill area, on the Bayview extension. This is a roadway that has been deemed to be necessary as a result of the gridlock in York region. It's interesting; in the course of the last number of months I've had representations in my office from people who say, "We have a problem in York region with gridlock. We need more transit, we need more roads. Do something, as a government, to show leadership here." On the other hand, we have representations from people who say, "Yes, we have gridlock and yes, we need highways and we need roads, but don't put in the Bayview extension because there's going to be an effect on the environment."

In that regard, there has been an environmental assessment on this particular thoroughway and it is the commitment of our government to allow that to continue, I think for good reason. However, all of the precautions will have to be taken. Every step will have to be taken to ensure that we minimize any negative effect on the environment.

In closing, I believe that what we have in this piece of legislation is an opportunity for everyone in our com-

munity to take a great deal of pride and to recognize that our system of government and the openness of our government to what is good public policy works. I will be the first one to say that it is cumbersome and it is regrettable that it's taken us this long to get here. Had we seen the wisdom of implementing a program and a strategy like this three years ago, multimillions of dollars would have been saved in the courts or before the Ontario Municipal Board. A great deal of frustration would have been saved. A lot of polarization within our communities would have been avoided. On the other hand, let us be positive about this and let us realize that sometimes occasions like this are necessary to help heighten the debate, to bring to the public's attention, to bring to the government's attention, where public policy is lacking and where changes have to be made.

I would hope that this is only a beginning of our ability to open our minds and to listen not only to the public but to opposition members who are rightly motivated to help improve public policy, that it would be a signal to the leadership of our party and to our cabinet and to our caucus that when there are convictions that are being voiced within, whether it comes from a backbencher or whether it comes from a cabinet minister, people who are close to the issue and have their fingers on the pulse of what is happening in our communities, that they be listened to, that they have their say, because at the end of the day that's where collective wisdom comes in in creating good public policy.

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I'm proud to stand today, to be able to speak to this legislation, to be able to assure my constituents that the sensitive areas of the Oak Ridges moraine will be protected not only for today but for future generations. This is, I believe, only the beginning. It must be only the beginning of what this government will do for other areas of this province that equally cry out for this kind of protection so that not only do we have the opportunity to enjoy a quality of life, but that quality of life is guaranteed for future generations to come.

**Mr Garfield Dunlop (Simcoe North):** It is a pleasure to rise this evening to speak to this bill. It's certainly one of the more positive pieces of legislation that we've seen in this House in some time: Bill 122, the Oak Ridges Moraine Conservation Act. I think it's safe to say that it's long overdue. Many governments have looked at this, have talked about moraines, have talked about the Oak Ridges moraine, and today we stand here and have the opportunity to speak to the second reading of this.

I'd like to congratulate Minister Hodgson for his hard work on this bill, along with the parliamentary assistant, the staff at the Ministry of Municipal Affairs and Housing and all the stakeholders who took part in coming to an agreement, the advisory panel that was made up of people from all walks of life—the developers, aggregate suppliers, environmentalists, municipalities, all these folks who had a common goal to protect something that's so important for us.



There are a number of comments I'd like to quote from people who supported this. I'd like to read a few of them if it's OK with you, because I think it's interesting to see just how widespread the support for this particular piece of legislation is.

To begin with, there's only one negative comment I found about it, and that was from a fellow by the name of Bradley. I won't read that, but he was the environmental critic, and apparently he used to be the Minister of the Environment at one time. He had some negative things to say.

**Interjection:** What party is he from?

**Mr Dunlop:** I don't know what party he's with, but he did have some negative things to say.

Right here in the Legislature, the member for Eglinton-Lawrence said, "I want to thank the minister ... for taking a brave step that his predecessors refused to do."

The member for Toronto-Danforth: "I do want to take this opportunity to congratulate the government today. I think it's a very good move.... It is incumbent upon me, on behalf of the NDP caucus, to congratulate the minister and the government," and I think that's really nice coming from Ms Churley.

I think we should talk a little bit about some of the stakeholders. A well-known environmentalist—I can't say his name very well—Glenn De Baeremaeker, was quoted in the *Toronto Star* as saying the legislation is "stunning, monumental and unique." According to the *Star*, he went on to say, "This is a spectacular gift for our grandchildren. Such a sweeping environmental protection plan has never happened in Ontario before, not even in the Niagara Escarpment plan."

The Federation of Ontario Naturalists—and I know this; I know a number of members of that organization because I have a couple of chapters in my riding—issued a news release in which they congratulated Minister Hodgson for bringing forward the draft Oak Ridges Moraine Conservation Act, and the draft land use plan. The executive director, Jim Faught, was quoted in the release: "The government has proposed a bold ecosystem-based plan that will see 62% of the moraine off limits to most development and 92% off limits to urban expansion."

Save the Oak Ridges Moraine, or STORM as it is known, issued a news release that says, "STORM applauds the government for moving forward with much needed legislation for the Oak Ridges moraine." The STORM representative on the advisory panel, Debbe Crandall, was quoted, "The government has shown a commitment to enacting a comprehensive ecosystem-based plan that puts in place strong policies to protect groundwater and surface water, natural heritage and rural character of the moraine while directing new growth to settlement areas. We have been looking forward to this day for a long time now." I think most people did consider that this was a surprise when it came out.

Some municipalities that were affected—of course, many municipalities, because it is the largest moraine in this province—but the regional municipality of York

issued a news release on November 1, saying the region "welcomed the Ontario government's introduction of new legislation designed to protect the environmentally sensitive Oak Ridges moraine." York Regional Chair Bill Fisch, a member of the advisory panel, said, "York region has long stressed the need for a firm set of regulations regarding future planning measures for the Oak Ridges moraine. The introduction of provincial legislation is critical to the protection of the moraine today and for future generations."

The regional municipality of Peel also issued a news release on November 1 expressing support for the government's proposed legislation. Peel Regional Chair Emil Kolb said, "We are pleased the province has made such a substantial commitment to the preservation of the Oak Ridges moraine. The proposed plan reflects a vision that will protect the moraine's natural assets now and in the years to come. This is a comprehensive plan that is good news for future generations."

David Miller, Toronto councillor and chair of the Oak Ridges moraine steering committee was quoted in a news release issued by the city as saying, "This announcement gives all residents of southern Ontario a reason to celebrate. Today is a day to commend the province for making this decision that will protect one of the last natural regions in southern Ontario for future generations."

Robert F Kennedy Jr—I couldn't believe this, but Robert Kennedy Jr was in town for a fundraising dinner—was quoted in the *Star* as saying, "This is a good example of what government is supposed to do and what political leaders are supposed to do. I applaud Mike Harris for taking a long view of this province." From Robert Kennedy Jr; I think that's phenomenal. Of course, the Kennedy name is such a phenomenal name in American politics. It was so nice to see him make that type of a comment about the province of Ontario.

Even the media, who have not been kind to our government at times, have also been very supportive of this approach. An editorial in the November 5 *Globe and Mail* says of the legislation, "Overdue? Yes. Welcome? Absolutely. Better still, imaginative brokering, swapping moraine lands for less sensitive crown land elsewhere, let all sides claim a measure of victory."

The *Globe's* John Barber said in the November 3 paper, "When the full effect of this week's work becomes apparent—in 40 or 50 years' time—the Mike Harris memorial greenway will be seen for what it is: priceless." Excellent stuff.

A *Toronto Star* editorial on November 2 carried the headline: "Welcome Decision to Protect the Moraine." It went on to say, "Hodgson and his cabinet colleagues deserve credit for listening. Three provincial governments have grappled with this tough issue. Finally this government has acted." It's not uncommon for this government to act. We've made some tough decisions; everyone knows those decisions were tough. They've been difficult, but this is another one of those. "This is a huge victory. It preserves the moraine as a continuous

green corridor and guarantees that scenic Bond and Philips lakes remain in their natural state.” The editorial concluded, “An important landmark has been saved for future generations.”

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The Star’s recently retired columnist David Lewis Stein, who has had a long-standing interest in the moraine—I think we’ve all read David Lewis Stein’s articles on the moraine over the years—came out of retirement to praise the legislation in his November 2 article, *Tories Earn Kudos for Moraine Ruling*: “A round of cheers for the Mike Harris government and Municipal Affairs Minister Chris Hodgson.” Later in the article he says, “They listened to the people. It’s called democracy, and I love it.” Coming from David Lewis Stein, it’s phenomenal.

The Toronto Sun’s Connie Woodcock wrote about the government’s legislation in her November 5 column. In it she says, “You have to hand it to the Harris government. When they get behind an idea, they carry through.” She concludes that the moraine “... was like many other issues the Harris government has dealt with—it was just common sense.”

Those are such nice things to hear from the media, from municipal leaders and from many of the stakeholders who worked on the advisory panel and are now commenting on Minister Hodgson’s legislation.

I say to Minister Hodgson again that he’s had some great legislation in the last few weeks. The brownfields—I know we debated that in full here and had a voice vote the other night. I’m not sure if you supported it or not in the end. It was a voice vote, so I wasn’t really sure where the opposition came from on it. And of course I give Minister Hodgson a lot of kudos on the Municipal Act, which we will be debating as well.

Of course, I give a pat on the back and a lot of credit to my colleague the member from Oak Ridges, who has worked extremely hard with his ratepayers and municipalities throughout the Oak Ridges moraine area. He has certainly shown a lot of leadership on this issue among the cabinet and among the caucus, and I congratulate him and all the members from the moraine area.

One thing I want to speak on for a few moments is the other moraines in the province. The minister said the other sensitive areas across the province should be dealt with, with the same concern. I really hope this is a fact. In my area, we have the Oro moraine between Orillia and Barrie. For the people in my area, which is not as densely populated as the Oak Ridges area, it’s just as important, and we’re dealing with that. It’s interesting to note that, because I think we are probably years ahead in the process right now. We’ve got a number of committees set up in the township of Oro-Medonte that are dealing with the concerns the residents have in that area.

Last year—I think it was on March 29—I hosted an Oro moraine symposium at the Guthrie arena in Oro township. I had speakers from all different stakeholder groups. The stakeholders all gave a non-partisan view of development and of the concerns they have for the

moraine. That included, for example, people from one of the ski resorts or golf courses. A gentleman who came to the meeting—I won’t mention his name—had never heard of the word “moraine.” It’s not something that gets out there. It’s not a topic in some other areas of the province like it is in the Oak Ridges area. But certainly it has become an important issue in my riding.

In the Oro moraine we have a number of development plans, subdivision approvals or draft plans that people would like to go ahead with. It also has rolling hills with wonderful groundwater. When people drill into this moraine—for example, the village of Coldwater or the little community of Warminster—they get good water. The subdivision plans along with a number of vacant lots are important to the community, but it is also important that these lots be developed with care.

When I had the Oro moraine symposium at the Guthrie arena last March, I was surprised at the interest, at the number of people who came out to take part in the day. Something like 300 people showed up on, I believe, a Tuesday afternoon to take part in this. We had a light lunch, but people stayed around right till the end of the day and talked to all the speakers, to the different stakeholders. It was so interesting to see their concerns. They want to protect this land, the same as the people in Oak Ridges do and probably the same as the other people who occupy the lands on the other 400 moraines across our province. It was an interesting day, and I was so pleased to have hosted that event. I plan to do others in the future, because I think it’s important that we listen to all the stakeholders and that we develop all these areas with care—and that’s after the county of Simcoe and the township of Oro-Medonte actually placed important policies in their official plans.

I know that when we put the groundwater policies in the county of Simcoe plan, a number of people were quite disappointed. They thought we were being too environmentally sensitive or too strict on it with the ANSIs and the natural heritage corridors etc. But we carried on with that as well, and I’m glad now that we did have those policies put in the county of Simcoe official plan. But I think more work still has to be done, and I hope our colleagues here on both sides of the House will take an active role in making sure we do protect all moraines across the province, not just the Oak Ridges moraine, which of course is so important to communities around the GTA.

I want to talk a little about water resources, natural features and green legacy. The Oak Ridges Moraine Conservation Act and plan would protect natural and water resources features on the moraine, preserve agricultural land and direct development to approved settlement areas. As Mr Klees said a little earlier, the legislation would require all new planning applications made on or after November 17 to conform to the proposed Oak Ridges moraine plan. Within 18 months, municipalities would be required to amend their official plans and zoning bylaws to conform to the proposed plan. The proposed plan would be ecologically based.



Then we have to talk a little about protection of our water resources. It's so interesting to listen to some of the people who were involved in the advisory panel. I talked as well to some people when I hosted my Oro moraine symposium; I had some people from the different areas of the GTA and from the Oak Ridges moraine. They came up and spoke of that as well and had the same types of concerns, and they put some good policies out for the people of Oro township to take a serious look at. This particular act includes strong policies to protect water quality and quantity. It would protect headwaters, cold-water streams such as those running into Lake Simcoe and all the kettle lakes on the moraine.

The plan would require innovative storm water management practices to protect sensitive recharge areas and prohibit technologies that cause rapid infiltration of storm water into the groundwater. Of course, we know how important it is that we make sure we don't contaminate any of the groundwater whatsoever.

Limits would be placed on the amount of impervious or hard surfaces within watersheds. This is needed to protect the natural hydrological cycle, maintain groundwater recharge and reduce the potential of flooding and erosion that can often come with large usages of water.

The proposed plan would require municipalities to delineate wellhead protection areas for all new and existing municipal wells. They would also have to prepare management plans to control and restrict activities that can harm groundwater.

If I could just back up one minute to the Oro moraine area, right now I'm trying to convince the main township, Oro-Medonte, to take a serious look at using the healthy futures project to have the municipality work in partnership with the province to protect all types of wells. As a lot of people in this room are probably aware—others may not be aware of it—a number of wells have been abandoned in the past across our province, and those wells may allow groundwater to get into our aquifers. The healthy futures project that I have in mind for the township of Oro-Medonte, if we can get approval to go ahead with the project, would actually provide assistance for the municipality to identify all the abandoned wells that are in the region and cap them properly so that any type of surface runoff wouldn't affect these wells. I think that's a project that's above and beyond what we're discussing here tonight, but I did want to point out in Hansard that it's important that, when we're protecting our groundwater, we also look at abandoning wells properly.

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I see my friend over there, the Minister of Agriculture, Food and Rural Affairs. I know that his ministry is looking after some of these projects and healthy futures is one of the areas they're doing.

It's been an honour to stand here tonight and make a few comments on the legislation that Minister Hodgson has brought forth. But, as well, I think it's a time to praise everyone here in the Legislature to see that this has finally been introduced. It's a bold move on behalf of our

government. We're very pleased that there have been so many positive comments about it. I think it sets a tone for the future in the development industry and in how we protect our groundwater resources, particularly in the moraine areas, the very sensitive areas across our province.

With that, Mr Speaker, I'd like to thank you for the opportunity to say a few words here tonight. Again, I'd like to congratulate Minister Hodgson for a job well done, his staff at the Municipality of Municipal Affairs, as well as the advisory panel for an excellent job in getting to the table, putting a time frame on this and making sure that the legislation was introduced before the November 17 deadline. With that, I'd like to finish my comments for this evening.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr James J. Bradley (St Catharines):** There was actually a little bit of time left, and I thought that one of the members on the government side would have taken the time to heap considerable praise on the Liberal member for Eglinton-Lawrence, Mike Colle, who worked so hard to bring this issue to the forefront.

Now, everybody who's objective out there knows that if it hadn't been for Mike Colle travelling back and forth across the Oak Ridges moraine, holding the public meetings, meeting with the municipal councillors, carrying out a campaign, the likes of which I've never seen before, we would not have had this decision. I remember his tough questions in the House. I remember the answers that were given by the government, Mr Clement, when he was the minister of both municipal affairs and environment at the same time. I remember how they laughed at Mike Colle and said that what he wanted was a pipe dream, when we really knew the pipe dream was on the government side—they wanted the pipe up to King City.

I often think it's important that when a government makes a decision of this kind, just as the opposition is effusive in its praise of government initiatives from time to time—I don't recall one right now, but I know that from time to time that does happen—one of the members on the government side, and perhaps they'll use the two-minute intervention, will get up to extol the virtues of Mike Colle, the member for Eglinton-Lawrence, who almost by himself brought this issue to public attention.

I take a step back, because while I was interested in it and the environmental aspect of it, the person who showed the real enthusiasm, the reason we have this decision made by this government, is because of the pressure from my good friend Mike Colle. I know one of the members was supposed to get up to say that and didn't have the opportunity to do so.

**Mr Gilles Bisson (Timmins-James Bay):** I just want to say it was interesting to hear one of the comments from the member for Simcoe North, who said this was the first good piece of legislation he had seen come through this place in a long time. I agree this is one of the few times in this Legislature that we've seen the government actually introduce a piece of legislation that is, in

the end, going to do some good in the province of Ontario. For that, I congratulate the government and say, "A job well done."

The point I want to make here is simply this: I notice a number of members on the Conservative benches are feeling much more easy tonight because they like the feeling. They like the feeling of having introduced a positive bill. They like the feeling of having their critics say, "Hey, for once you've done it right." I just say to the government across the way, you should do it more often. You should do it on a whole bunch of issues ranging from the things we could be doing for the economy. For example, you could reduce the PST, as my leader Howard Hampton has been suggesting for the past number of weeks now. People across Ontario would see that as a good thing. You could restore the funding cuts we've seen and the new funding formula that was introduced some years ago by the Ministry of Education. That would make you feel warm and fuzzy inside, I'm sure. By the end of the evening you could be feeling even better if the government were to speak on issues of such passion and introduce legislation as sweeping as this.

I also want to say that I'm a little dismayed, however, that the government is somewhat revisionist in its history of the moraine. It was really only the member for Simcoe North and, I think, the former whip, who actually gave some credit to other governments who have done a lot of work on this particular issue for years. I was dismayed with Mr Gilchrist because, according to him, nothing positive ever happened before 1995. You know very well that a lot of the work that led to where we are now is the work done by residents and former governments as well. We can all take credit for what's happened here tonight as being a good thing for the province of Ontario, in which we've all shared in the work.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I'd like to speak in response to the three government members who spoke this evening on this bill.

The member for Scarborough East gave somewhat of a history of how the bill came into place.

**Mr Bradley:** Any conversion?

**Mr Tilson:** Well, yes, there was some controversy with respect to it.

The member for Oak Ridges, of course, talked more of the process of the bill and explained what the bill is going to do. I think it sounds like all members of the House are going to support the bill.

The member for Simcoe North, of course, listed off the support that's been given from all sides with respect to supporting the bill, everyone from the Toronto Star to Robert Kennedy Jr, which is remarkable in itself.

The Oak Ridges moraine does come into my riding on the far western portion of it. It affects specifically the town of Caledon and the town of Mono. I can only say I've heard absolutely zero criticism of it from the people in my riding. They support the bill and have congratulated the minister.

The press conference announcing the legislation and announcing the work that was done by the advisory panel

was held in my riding. The specific areas, of course, are in Caledon East and in Palgrave, in my riding, where there were some concerns as to development that is affecting the Oak Ridges moraine.

The member for Oak Ridges, in particular, talked about how this area is going to be saved for once and for all. The people came together, which is quite remarkable, because there was substantial concern about the legislation. They did, and this legislation came about, thanks to the advisory panel.

**Mr Ernie Parsons (Prince Edward-Hastings):** It struck me that it's a shame that this government delisted physiotherapy services because quite a number of members over there are potentially going to hurt themselves patting themselves on the back for what really is a Mike Colle bill. I note and recall the heckling that took place when he introduced a private member's bill. It takes a good person to admit they were wrong and Mr Colle was right, and I thank you for that.

**Mr David Caplan (Don Valley East):** That would be Bill 12, which they defeated.

**Mr Parsons:** That's right. Bill 12, which they defeated.

The statement was made earlier that this is the finest piece of legislation this government has ever introduced and I concur with that, but I think that's more a reflection on the other bills than it is on this one. But it certainly is good to see it.

However, to think it is the end-all and be-all to everything is to ignore the reality. Yes, it's a good bill; yes, it will preserve the moraine; yes, it will preserve the water supplies for much of Ontario. But what it does, and no one wants to talk about it, is that it drives development off the moraine, where it doesn't belong, on to prime agricultural farmland, where it doesn't belong either. So to deal with one part of the problem and ignore the other is a grave injustice to the farmland of our province. I can almost cry when I drive through parts of urbanized Ontario and watch the very best of farmland that is now growing houses and factories.

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I was involved in highway construction many years ago where we built a new highway. We took and removed the asphalt from the old highway, and to this day it won't grow dandelions. The land, when it goes out of production for food, is gone forever. Developers, knowing that they need to meet the demand, will simply look off the moraine and look at land that has soil classifications of 1 or 2 that we urgently and vitally need for our children and our grandchildren and so forth. So the government needs to say, "We've started a solution, but we're a long way from finishing it, because we need to determine and manage where development will go." The job isn't done. I hope this government thinks about that, but I worry.

**The Deputy Speaker:** One of the original speakers now has up to two minutes to respond.

**Mr Klees:** I want to thank all members who have participated in this debate this evening.



As usual, the member for Prince Edward-Hastings could not hold himself back from his partisan bent to somehow find something wrong with what the government has done.

**Mr Bradley:** Well, that's easy.

**Mr Klees:** It was hard for him. He scratched, but he did find something. The truth of the matter is that, yes, development has to go somewhere. The choice was made as to whether it should be in the sensitive areas of the moraine or the option of the Seaton lands, which had already been designated a number of years ago for development of some sort. That choice was made. I think it was a very wise one, and I think even he, in his quiet moments, will agree.

The members for Dufferin-Peel-Wellington-Grey, Timmins-James Bay and St Catharines all, even though some were more hidden in terms of their accolades of what we have done here—you could just hear as you read between the lines, as you listened carefully, that they were also endorsing what the government has done here.

I want to once again thank the people who were at the table to work out these solutions, whether they be developers, whether they be representatives of environmental groups, whether they be representatives from municipal government, and there were many who played a key role there, or the staff from our government ministries. All, I believe, can take great pride in what is being accomplished in this House today through this legislation. I know that even you, Speaker, in your wisdom, agree that this is good legislation, good public policy for Ontario.

**The Deputy Speaker:** The floor is open for further debate.

**Mr Bradley:** I came to the conclusion a number of years ago that when members—first of all, I should ask for unanimous consent of the House to step down the leadoff for the official opposition.

**The Deputy Speaker:** There is a request for unanimous consent to stand down the leadoff for the official opposition. Is it agreed? I hear agreement.

**Mr Bradley:** A wise decision, because I was ready to go the full hour. I will not do that.

Now, one thing I discovered in politics, first of all, is that when members get on the government side, they grow a third hand to pat themselves on the back. That's your job. I didn't expect, with this piece of legislation, that any member would get up and condemn it or find anything wrong with it, and I don't condemn you for that. A person in the media once asked me after a budget, "Don't you have anything good to say about the budget?" I gave them Bart Maves's telephone number. I said, "Mr Maves is a government member. He will extol the virtues of the budget. I will tell you where I think the deficiencies are, and I might find one or two things with which I am in agreement." But basically a government does that, and I expect that to happen. So I don't think you should get up your hopes that somehow I'm going to heap only praise on the government with this piece of legislation, although I understand the satisfaction that some members

who were under considerable political fire must feel today at having had their feet pulled off those hot coals. That would probably include the member for Oak Ridges, but he would be in a better position to tell me that.

I wanted to start off—the Solicitor General has new glasses on today. I don't know what to make of them, but he needs them to be able to see the fact that the Liberal member for Eglinton-Lawrence, Mike Colle, led the crusade in favour of saving the Oak Ridges moraine.

A few years ago, these people on the other side, on the government side, didn't even know what the Oak Ridges moraine was, outside of perhaps some of the members who represented the area—I will concede that—and my friend from Peel and Wellington and other places, Dufferin, who has a view similar to mine on the Niagara Escarpment, a view which I worry is a minority view within the Conservative caucus. Nevertheless, I happen to think that he believes this decision was appropriate, and I'm glad that the government has been dragged kicking and screaming into making a decision of this kind. The road to Damascus, as I mentioned the other day, is full of those converts on the government side who now wish to cloak themselves in an environmental coat, which is ill-fitting, I would suggest, when one looks at the total environmental record of this government.

I thought that with the public meetings that were held with hundreds upon hundreds of people, Mike Colle spearheading them time after time, and others from the municipal field and environmentalists—I want to pay tribute to them, the crowd who showed up at these meetings, at the OMB meetings, at public meetings, who wrote letters to newspapers, who in their own local areas tried to persuade the municipal politicians of the virtues of saving the Oak Ridges moraine. I want to pay tribute to all of those individuals.

Quite obviously from the questions that were directed by Mr Colle and Dalton McGuinty, the Leader of the Opposition, and others to the relevant ministers—for the most part the Honourable Tony Clement, who was then Minister of Municipal Affairs and Minister of the Environment—we could tell by the answers that this government had no intention of moving in the direction that was announced just a few days ago, but they recognized that the public pressure was building. First of all, the government was down in the polls considerably and consistently. So they have to rescue that.

**Mr Frank Mazzilli (London-Fanshawe):** That's changing.

**Mr Bradley:** Well, they tend to go up and down, I say to the member for London. I have been around this place long enough to know they go up and down. But the government perceived that there was a lowering of their standing in the polls for a rather lengthy period of time and some entrenched negative views about the government. So that had to be overturned. That was a persuading factor.

Probably the single event that convinced the government that they must do a 180-degree turn on this, a full

retreat, get out the white flag and wave it, listening to the beep, beep, beep as the government backed up on this issue, was the overwhelming victory of the opposition, the Liberal Party in this case, in Vaughan-King-Aurora, a seat which I think the government saw as a strong seat for them in what is called greater Toronto or, as they call it, the 905 area. And they lost almost 2 to 1 in that particular seat, complete with the Mike Harris signs—I thought Mike Harris was running, because I saw his name on the sign. I didn't know who the candidate was for the Conservatives, but Mike Harris's name was there. I think that's fair enough. You want to accentuate the positive. And they got creamed in that by-election. That was a telling point. That was a watershed, if you will, in the decision to be made that concerns the legislation before us tonight.

The confirmation of that came when the Tories ended up losing their deposit in Beaches-East York and finishing, I think, with about 10% of the vote in that area.

**Mr Caplan:** Or less.

**Mr Bradley:** Or less than 10% of the vote. I think there was a recognition the government was in trouble, so they would have to start doing what (a) never in their wildest dreams they had any intention of doing, and (b) to this day, to this point in time, they still don't want to do, because we recognize they stacked the Ontario Municipal Board with right-wing Tories who will make pro-development decisions.

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**Mr Caplan:** Like whom? Name names.

**Mr Bradley:** I have seen person after person on the board. We watch them as those appointments are made and they're pro-development people. If I had the full hour I would start naming names, but I don't have the full hour. So we see that.

We know who comes to the fundraisers. My gosh, those developers just pour into the Tory fundraisers and give all kinds of money to them. So I understood that there was a feeling that somehow if you're going to preserve the Oak Ridges moraine, you'd better give the developers a consolation prize. Indeed they gave them a consolation prize, and that is some prime farmland east of the city of Toronto, farmland that is going to be developed now and that may be of even greater value than the land the developers have at the present time. Some good investigative reporters, when they're finished looking for anthrax, will certainly get their attention on this issue. I issue a challenge to the investigative reporters out there to start looking for this, just as I say to the government side, I've issued a challenge to all reporters to ask the Premier, when he asks for more money for health care, "Premier, don't you really want that money to pay for the tax cut that you're giving, the \$2.2-billion tax gift for the corporations?" I have a hard time getting them to ask that question. So I hope I'm more successful at encouraging those hard-nosed investigative reporters to see the sweetheart deals that will emerge from this land transfer.

You see, I'm one who believes that government, whether it's the local, provincial or federal level, has no obligation to bail speculators out. Where land is zoned for a specific reason and it's through the process and the government does a reversal, there may be a case to be made for compensation. But simply because somebody buys some natural land or farmland and keeps it and someday wants to develop it, and the government says, "No, it's staying as farmland or it's staying as natural land," I don't think a government has any obligation to bail out a speculator any more than it does when they're speculating, for instance, in the stock market. By the way, I should say, speaking of the stock market, I see that there are some real problems in the supervisory issues surrounding the stock market that some day should be the subject of some questions in this House. But we'll leave that for yet another day.

I think it would have been preferable to have something similar to—perhaps the member for Dufferin-Peel would agree with me—the Niagara Escarpment Commission to preside over the Oak Ridges moraine. I should mention, as I have on many occasions, and in fairness because I like to be fair, that my friend Norm Sterling, now Minister of Consumer and Business Services, when he was Provincial Secretary for Resources Development—a misnomer, I might say, in that case—he was the one who developed the first plan for the Niagara Escarpment, so that we have a Niagara Escarpment Commission and a plan. He was yanked out of the responsibility for that by the Premier. It was taken from the Ministry of the Environment and from Norm Sterling and given to the Ministry of Natural Resources, a major mistake if I ever saw one.

I think that the Niagara Escarpment Commission has done a pretty good job. I've disagreed with some of their decisions. There was a recent one that I have some problems with. But I think they've generally done a pretty good job of preserving that land. It's annoyed a lot of people. It's annoyed the member for Bruce-Grey-Owen Sound to a large extent, a man, as I would say when he's in the House—I don't say it when he's out of the House—who never saw a severance he didn't like when he was a municipal councillor. Bill would consider that, I want to say, not an insult. He would consider that to be a compliment, as we all know Bill. So I think a Niagara Escarpment Commission on the Oak Ridges moraine would be most appropriate, that kind of commission.

I want to thank the municipal councillors who were brave enough to resist development, because there are some municipal councillors who think that paradise is reached when you've paved every last square centimetre within the jurisdiction that you represent and suitably incur the support of the developers who will help finance your campaign. But I want to pay tribute to those municipal councillors who had the intestinal fortitude and the foresight to fight against this government when this government was bound and determined it was going to pave the Oak Ridges moraine, and finally convert the



non-environmentalists to at least wearing an environmental cloak for the time being.

I want to say that Mike Colle was responsible for a couple of great private members' bills before this House. The government ridiculed Mr Colle; they voted against his bills sometimes. When he asked questions in the House, he was criticized and chastised by the ministers who gave the answers. He made statements in the House, he made statements outside of the House, again fighting on behalf of saving the Oak Ridges moraine. The early days of ridicule tell you what this government really thinks of this issue. They don't want to do what they're doing in this bill and they never had any intention of doing it. If you let them away with it, I don't think you can trust them down the line to maintain this position, because they will start to waver.

Nevertheless, of what we see in the bill, and we have to deal with what's in the bill, probably to the extent that they're in the bill, there are many, many aspects that are supportable. I'm always suspicious of the provision for the making of regulations. When you leave a lot of the decision-making to the cabinet behind closed doors, when they're promulgating the various regulations that go with the legislation, that's where the deals can be made. That's where there can be backsliding on this issue. Unfortunately, this House and the public are not a party to those decisions, and I think as much as possible should be found in the legislation and not in the regulatory framework.

I think there is finally an understanding out there, even among the pro-development crowd, that the kind of urban sprawl that's taking place in Ontario is not healthy. The government continues to encourage it through some of its road building programs in the province. Some are good and some are not, but it tends to encourage that through its policies. They changed, for instance, the provincial Planning Act. Mr Speaker, you were a member of a government that brought in the changes to that Planning Act that made municipalities, in essence, adhere to the provincial policy statements that were out there, the provisions of the Planning Act. One of the first things this government did was weaken that. As a result, we started to see the urbanization of rural areas in our province at an alarming rate.

We are losing thousands of acres of prime farmland and thousands of acres of good natural land per year to development that is gobbling it up, often development that is not in the best long-term interests of the people of this province. I see in my own area of the Niagara Peninsula land disappearing, again at an alarming rate. I think that the urban boundaries that have been permitted are ridiculously easy and should have been much more confined. I think there are natural areas that should not be gobbled up by development that I see taking place in various parts of the province. Unfortunately, they're going to close the door after the horse is out of the barn. That's most unfortunate, because we've lost a lot of it.

Drive along Highway 8 now, as people used to, along the Niagara Peninsula for a scenic drive. You can see

development taking place. No longer is it the same scenic drive it used to be, because this government is allowing virtually unrestricted development to take place in those areas which were good for fruitland, the reason being that (a) the soils were conducive to it and (b) the climatic conditions were conducive to it. I see the government now as going to get into another battle when it gets east of Toronto into some prime farmland.

What I do think is supportable, and I think there's a consensus in this House, though the bill was not anything to write home about, because it had some deficiencies in it—but a lot of good things in it too—is the potential for brownfields development. I think that is some potential which allows for intensification, which allows for the revitalization of the cores of various of our cities and towns, and even along the periphery of those municipalities. That is where I think our emphasis in this House and this province should be placed in the next number of years.

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We are going to need, I think, the rehiring of the staff in the Ministry of the Environment and the Ministry of Natural Resources to supervise some of the activity that is contemplated within this bill. We all recognize that in 1996 the provincial government, the Harris government, cut one third of the staff of the Ministry of the Environment and about 45% of the operating budget, and virtually all of the capital budget disappeared. We had similar cuts in the Ministry of Natural Resources and in the Ministry of Municipal Affairs. As a result, there are not the people within government to supervise this kind of activity.

I'm worried as well about the almost open door to aggregate development contained within the Oak Ridges moraine. We recognize we need aggregate. I'm not a person who lives in another world, who doesn't recognize you need aggregate, but I worry about the weak provisions within this legislation as they relate to controlling aggregate extraction activities in this province.

I think we have, then, before us today a bill that has been hatched from, that has resulted from, intense pressure by environmentalists, by my friend Mike Colle, by many people in the opposition, perhaps even by some members within the government. I see Ted Arnott here. I would think that he would probably be one who would have been persuasive. There were also some who were converted, I might say.

**Interjection:** What about me?

**Mr Bradley:** I wouldn't include the member for Dufferin-Peel or the member for Waterloo-Wellington in that. I think they were probably both people who would have been onside with this. But I'll tell you, it's difficult to stomach some of the people who are now portraying themselves as environmentalists, who at one time couldn't wait to pave anything and everything that wasn't moving within the province, and even some that was moving within the province.

So we have this bill before us. I want again, as I get into my last minute, to reissue the challenge to investi-

gative reporters to see what kind of deals will be done with the land swaps, because I suspect that some of the people who will be getting the most prime of developable land, which will be farmland, may be people who could be found on the list of contributors to the Progressive Conservative Party of Ontario. I don't know that right now; I'd have to go to check the records. But I think that would be probably a pretty good guess.

There are some transition issues I'm worried about that I know further people on our side of the House will speak to: new infrastructures, including major new 400-series highways, are allowed in areas in the moraine. One has to see how that could possibly be compatible with the preservation of the Oak Ridges moraine.

We have a piece of legislation that I'm pleased is before us, and I again thank my friend Mike Colle for making sure it's here.

**The Deputy Speaker:** The members now have up to two minutes for questions or comments.

**Mr Bisson:** I know that the member for St Catharines forgot to give some credit where credit is due. He wanted to talk about the work that Mr Colle had done, but he forgot to mention the work that Marilyn Churley has done over the past number of years on this very issue.

I remember this forgetting on the part of the member for St Catharines. I just have to point out a couple of things. First of all, it was our government from 1990 to 1995 that did two very important things when it came to the moraine. One part of it had to do with the Planning Act. As you know, much of what was in the Planning Act dealt with issues that this government is now having to deal with by way of what they've done in this legislation. We, through our Planning Act, made changes that have made it difficult for developers to develop lands such as the lands on the moraine. Unfortunately, it was the Conservative government that scrapped that legislation in 1995, and that's how we find ourselves having to find a way of saving the moraine all over again. I know that in our time in government from 1990 to 1995, Marilyn Churley along with Ruth Grier and a few others I'd like to name were very instrumental in making that happen.

In opposition, in 1995 and again in 1999, Marilyn Churley introduced not one but two bills that passed in this House: one in her name, the second one in the name of Shelley Martel. I give Shelley Martel some credit as well for having passed two bills in this House in order to protect the moraine.

I know that was just an oversight by the member for St Catharines—

**Mr Bradley:** I didn't have time.

**Mr Bisson:** —who I realize did not have time in his 20 minutes, but I know he will make sure to comment on those two particular points as he gets around to his opportunity to respond to what I say.

It comes back to what I said originally. Many people have worked on this issue, many governments have worked on this issue, and I think we can all take credit for having done what is the right thing for the moraine. My special congratulations to Marilyn Churley.

**Mr Klees:** It's always a pleasure to listen to the member for St Catharines. I must tell him though that my mother, as she watches these debates, is very concerned that the member for St Catharines never has anything good to say about our government. He has explained himself tonight, and that is that it's not that he doesn't believe there are good things, it's just that he feels it's not his role to express them. We understand that.

The member made reference to Mr Colle's private members' bills relating to the Oak Ridges moraine. What he failed to do though, and I can understand why, was articulate the fact that those private members' bills—we can go back and look at them very carefully—were so simplistic in terms of what they were proposing, without regard to property rights, without regard to due process. They were politically very astute because they used the language that appealed to people who wanted to protect the moraine.

But there was not the balance in those bills that we have in this legislation, that addresses the issues of property rights, that does not result in people being effectively bankrupted, which is what could be the outcome if there wasn't the issue of compensation and appropriate time-lines being provided, with also the appropriate grandfathering for existing applications that are there, that were approved under existing rules. Again to the credit of the drafters of this legislation and the minister, we have that balance in this legislation which will serve us all well.

**Mr Caplan:** I want to congratulate the member for St Catharines. I think he had an excellent speech about what is contained within Bill 122 and what isn't. I must admit that much of the focus should go to the member from Eglinton-Lawrence, who introduced Bill 12. I was here for that debate. I was here for that vote. I remember that members from both the official opposition and the third party supported that measure. I know that members from the government, including the last speaker, opposed Bill 12. I can read the title: An Act to protect the Oak Ridges Moraine. This bill was originally introduced back in 1999, over two years ago. In this time, a two-year delay, how many horses have run out of the barn door? Now we're going to slam it shut.

I have some questions for the member from St Catharines, and perhaps he would be good enough to answer them. I'm predicting that it wasn't environmental noblesse oblige on behalf of the Progressive Conservative government, that rather it was their polling numbers which told them this was a resonant issue. I would be very curious to ask the member for St Catharines his thoughts on what the polling of the government of the day is that would indicate to them why this is a compelling issue.

I have one other question for the member from St Catharines, and it is precisely this: I foresee within the next weeks if not months that there will be an extensive media campaign on behalf of the government, probably prominently featuring pictures and names of various cabinet ministers and members of the government hoping



to attach themselves to this issue. I am just wondering if the member for St Catharines would have a comment about the kind of practices that we've seen coming from this government.

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**Mr Tilson:** I would have liked it if the member for St Catharines had talked about the speed with which this issue came about. It is quite remarkable when you look at all issues in this place as to how long they take. Mind you, this has been discussed for some time, when you figure that back in January of this year the Premier announced the Smart Growth consultation process, in May the bill was introduced, in June he appointed the interministerial team and the external advisory panel and then finally, in July and August, there were extensive consultations by the advisory panel, which met all throughout the Oak Ridges moraine to try and determine some sort of consensus to develop this plan. Indeed, there were a number of recommendations made by this panel to Minister Hodgson for a strategy with respect to the future of the Oak Ridges moraine. In fact, those recommendations are the foundation of a consultation paper entitled, *Share Your Vision for the Oak Ridges Moraine*. In August, the minister released *Share Your Vision for the Oak Ridges Moraine*, and from August to September the public and stakeholders had an opportunity to comment on this document through written submissions. Finally, on November 1, the minister introduced the Oak Ridges Moraine Conservation Act.

That is quite remarkable in such a short period of time, to go from January to now and produce the legislation. My congratulations to the minister.

**The Deputy Speaker:** The member for St Catharines has up to two minutes to respond.

**Mr Bradley:** First, to my friend the member for Timmins-James Bay, I knew there was a two-minute time, that he would pay tribute to anyone he wanted to pay tribute to, and if he didn't, the member for Toronto-Danforth would pay tribute to herself for the work she has done in this regard. She will get a chance to speak next and I'm sure will explain the role that her party played. So I did leave that out.

To the member for Oak Ridges, I know his mother must wonder why he and his colleagues only talk about the good things they believe the government happens to be doing. It probably balances off a bit.

To my friend from Don Valley East who asked the question about polling numbers, you can bet your bottom dollar that one of the compelling reasons the government decided to change positions on this, to fully retreat from its original position on the Oak Ridges moraine, to throw in the towel, to wave the white flag, was because of the polling results. I should say that the taxpayers of this province paid for those polls and the government does not release the results until they are stale. So that's something else this government does that's an abuse of public office.

I hope there isn't a huge advertising campaign. I want to take the Chair of Management Board at his word when

he said the other day that there is going to be an end put to that kind of partisan advertising. If you want to call press conferences, if you want to do anything else, that's fine, but I do not want to see ministers' photographs and even some who have joined late, except if it's the Minister of Natural Resources.

Lastly, the member for Dufferin-Peel-Wellington-Grey and I agree on a number of issues related to land use planning, so I don't want to say anything negative to him at all.

I appreciate the remarks from all members of the Legislature.

**The Deputy Speaker:** The floor is now open for further debate.

**Ms Marilyn Churley (Toronto-Danforth):** I will take a whole hour and just spend the entire hour thanking the government for that. I am speaking for an hour here. I missed most of the debate, however—

*Interjection.*

**Ms Churley:** I'm sure I did—because Mr Gilchrist was chairing the general government committee in which we were holding hearings on the adoption disclosure bill. I could see people speaking on the TV, however, quite enthusiastically, and I heard as I was on my way in from some Tory member standing outside that I missed my name being taken in vain here. The Tories were, I believe, saying good things about me, God forbid, because I had congratulated them on their move to protect the Oak Ridges moraine, which is true; I did. I think it's incumbent on all of us in this House when the government very occasionally does something good—and, boy, were they ever dragged kicking and screaming into this one over the past few years.

I am going to outline, as I said when I spoke very briefly to this when the bill was introduced, some of my concerns, because I do have concerns. The government members shouldn't be crowing about how perfectly wonderful this is, because there are some legitimate issues and concerns we have to look at.

I want to start off by doing what I believe others have done before me—and not so much taking credit myself—and saying that Mike Colle in fact did tremendously good work on this bill. I think we all should acknowledge that, and I certainly want to do that. He and I have worked well and closely together on this bill. We have not generally played the partisan games that go on in this place all the time and which are going on, as you observe, tonight. But I'm happy to say that Mr Colle and I recognized that this issue, saving the Oak Ridges moraine, was bigger than partisan politics in this place. That was before the by-election in East York and after the by-election in East York. We were able when we were at meetings together, if one of us was on the podium and the other not, to allow the other person to speak, to introduce the other one, and always work together. I think that was important.

In fact, Shelley Martel kindly sponsored for me one of the bills that I put forward because I had to reserve my spot for my adoption bill, which is a subject for another

time. I want to thank her for the work she did on behalf of our caucus and indeed the whole Oak Ridges moraine community. We had two bills, and I think it was the second one. Mr Gilchrist will remember this because it actually got sent to the general government committee. I think to some extent that happened much to the chagrin of some Liberals because they certainly don't want to see especially me get my bills before committees. However, it was Mr Colle who made that happen. We talked about it and the importance of having every opposition member here that evening, and working together we were actually able to defeat the government on that bill and get it sent to general government. Now, it never got called before the committee. I had many conversations with Mr Gilchrist, and there were always reasons why it couldn't be put on, but it did get sent there.

Having said that, I think we can all crow about our own involvement in this issue, and there was substantive involvement certainly from this party as well. As I said, we put forward two bills. I want to point out that the NDP bills were not just dealing with saving the Oak Ridges moraine but also were dealing with the broader green planning issue, because many of the problems that emerged within the Oak Ridges moraine territory came about as a result of the government killing the green planning act which the NDP government brought in. I'm going to remind people again about that plan, because I was devastated when the government, as one of the very first things they did to respond to the demands from their developer friends, from whom they got so much money, got rid of that Planning Act.

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I should point out that that was the Planning Act in which John Sewell—and this is relevant to the debate tonight because we're talking about green planning here. We shouldn't just be talking about saving the Oak Ridges moraine but saving environmentally sensitive areas clear across the province. The NDP government hired John Sewell, Toby Vigod from the Canadian Environmental Law Association and others to travel the province. You'll remember this, Speaker. You were there at the time. I think they were out for two years. They came in under budget, which is almost unheard of when you hire consultants to do work for government, and they came in on time. They went all over the province, every nook and cranny across the province, and talked to people—municipal councillors, developers, environmentalists, ordinary people—about the Planning Act and what kinds of changes needed to be made and they reported back.

That bill, after extensive debate in the Legislature—although at that time many of you weren't here, I should remind the House that the Tories were sitting right here in this spot, and it could happen again.

*Interjection.*

**Ms Churley:** Yep. You were sitting right here and the Liberals were sitting there and we were sitting over there, and this side of the House, both the Liberals and the Tories, voted against Bill 163, the green planning act, on the basis—I think you were in agreement on this—that it

went too far. But we did bring in a very good bill. Fortunately, we had enough votes in the House at the time. We were the government, the majority, and brought this act in. Of course so many of the pieces of legislation that we brought in were extremely vulnerable. Employment equity, which was such an important bill that we brought in particularly for the disabled community, although for women and other groups as well, was thrown out after we'd worked for years. That's another example of a very good bill that we worked on.

Interestingly enough, the government came forward today—you've got to ask what's going on here. Are they down in the polls? Is there a leadership campaign? There's something going on, because suddenly these things that the government threw out, very progressive legislation from when we were in government—all of a sudden they're going down in the polls and there's a leadership race and many of them come from the Oak Ridges moraine area and they are coming forward with good legislation. That's true also—although there are numerous problems with the disability bill which I know I can't go into now because we're talking about something else, having this legislation come forward.

But I want to come back to the people we really need to thank, and that's nobody in this place. We acted in partnership with the community and the environmental groups, the Save the Oak Ridges Moraine group, all of those people and the thousands of people—thousands; I don't think I've ever seen anything like it—who came out at meeting after meeting to save the Oak Ridges moraine. I know I missed one big, important one and Mr Gilchrist, the member for Scarborough East, brought it up in the House and I was quite chagrined about that. I was very ill and it broke my heart that I was going to miss it, because I knew he was going to be there and Mike Colle was going to be there and they were going speak, rah, rah, rah, and there was no representative from the NDP there. I heard about it, but unfortunately—

**Mr Gilchrist:** Actually, I took your position.

**Ms Churley:** Yes, Steve Gilchrist took my position, I'm sure. I was ill that night and regret to this day that I was unable to make it. But I attended other meetings and heard first hand from the people in Uxbridge and Richmond Hill and other areas in the Oak Ridges moraine, plus I attended meetings within the city of Toronto, working with David Miller, a city councillor, who took on this issue. They too played a role in this. They provided the money to citizens for an appeal. Of course, this is of great interest to the city of Toronto as well because the headwaters of our drinking water are at the headwaters of the Don River and the Humber. So we had an interest, but we were shut out, and it was our Toronto city council, through the leadership particularly of David Miller, that made sure the money was there and that we had an opportunity, as Toronto residents, to be involved.

But the people we really have to thank are those—and we acted as facilitators there. We presented our opposition private members' bills and they were different and had different components. Mike Colle had a Liberal bill.



We had a different bill that dealt with more than the Oak Ridges moraine but tried to bring back some of the green planning act that the NDP had brought in and the Tories had gotten rid of. Then Steve Gilchrist brought in a bill. What we were hoping was that they would all go before a committee and we could get all the best things out of our private members' bills. Of course, that never happened and they all died.

But the people remained absolutely consistent in their quest to save the Oak Ridges moraine. They kept coming out to meetings. They kept writing these e-mails. They kept being loud and aggressive. They would not shut up, they could not be shut up, and they should be congratulated, because not only did they get most of what they wanted in the Oak Ridges moraine—there are still some problems. I think they've acknowledged some of those, and as we look at the bill more we're going to have to address those problems. But just think about where they started from. I mean, it was going to be development everywhere. The Oak Ridges moraine would have been destroyed; our water would have been affected. It was absolutely unbelievable what they were going to be doing there in the Oak Ridges moraine. So we've come a long way, and those people should be proud and they should take full credit for getting this through. Even if it has something to do with the leadership campaign and being down in the polls, it all came together, it converged, and we won, they won, a major victory here.

I'm going to talk a bit about the bill itself, because many people are saying, "We've heard that there's an Oak Ridges moraine bill. What is in it? What does it say?" I think this is a good opportunity to let people know what's in the bill.

In my view, if you take a look at the bill itself at this point, it's a fairly empty shell. There's a lot of filling in to be done there. The most important powers are in the plan, the regulations or, in the case of deals being made with the landowners, with cases at the OMB, outside the scope of the bill altogether. That's a point I'm going to come back to eventually, because that is one of my very serious concerns with this bill and a concern of the NDP caucus.

Section 2 allows cabinet to designate the Oak Ridges moraine area. Section 3 allows cabinet to establish the Oak Ridges moraine plan. This is in draft form, and for people who are interested out there—I'll do a little free advertising for the government here; people should see this—it is on the ministry Web site. The plan in most respects does follow pretty faithfully the advisory panel recommendations. As well, there's the ministry press release and backgrounders around that. Again, people can look that up.

The plan calls for natural core areas to comprise 38% of the moraine. Natural linkage areas will comprise 24%; countryside will comprise 30%; and settlement areas will make up the final 8%. No new subdivisions will be allowed in any of the areas except for the settlement areas. However, a small amount of housing will be allowed in the countryside area, along with some institutional de-

velopment. New aggregate pits will be allowed in the natural linkage areas, which is a problem, I think. They always win, these people. Nobody ever hears of them, but in any kind of fight, I don't know what it is, but they do get their way on getting these aggregate areas kept open. But the corridors outside the pits—there is some constriction here—must be a minimum of 1.2 kilometres wide.

In addition to the various categories of protection, there is an overlay of protection provided by specific rules protecting significant natural heritage features such as wetlands. Outside the settlement areas and to some extent inside them, development is restricted to areas where these significant natural heritage features will not be disturbed.

Here's a regulation; listen closely to this one: "The minister may, by regulation, revoke the plan." That's in subsection 3(3). It would be preferable here if legislation was required and it would be, to say the least, a shame if the minister could—because this is in a regulation, not in the law, and I have a huge problem with that—wipe out all this work and natural protection with the stroke of a pen. We're not going to do it right now, but that is a problem, and a major problem.

Subsection 3(4) says that there shall be a review of the plan every 10 years. What they say about this review is that it should not consider reduction of the total area devoted to natural core and the total area devoted to linkage areas. It sounds a little gobbledygook here, but what this means is—I think it's good addition to the advisory panel recommendations by the minister, but it still leaves considerable scope for damage, say, in response to development pressures generated by—guess what?—provincial highway construction, which I will get back to as well. It's a problem. For example, the settlement area could be expanded at the expense of the countryside area.

#### 2040

What else? Section 4 provides a list of objectives for the plan, and these seem relatively consistent with a conservationist approach.

Section 5 allows the plan to set out land use designations within its area and prohibit land uses or structures. It also allows cabinet to prohibit municipalities from adopting provisions that are more restrictive than the plan in prescribed areas. Ministry officials say these areas will be aggregates and agriculture, so we'll see how that shakes out.

Section 7 requires all decision-making bodies to conform to the plan, and no infrastructure that conflicts with the plan will be allowed to be built.

Section 8 provides that the plan prevails in the case of a conflict with an official plan, zoning bylaw or policy statement issued under section 3 of the Planning Act. That means some regions will have to amend their official plan. For instance, the regions of Peel, York and Durham will have to do that within a 12-month period, but if they don't do it, this plan will prevail anyway, and other municipalities will have 18 months to do this.

Planning applications will be subject to the same processes in place now, but the planning authorities will also have to conform to the plan. The minister may amend the plan, and right now his decision is final and not appealable in this respect.

Plan amendments would be by regulation. Municipalities would be given a copy of the proposed amendment and invited to make comments. The minister also, if written submissions are received, must either make the amendment or appoint a hearing officer, who will hold a hearing. The hearing officer then makes recommendations to the minister, but the minister's decision is final. So the minister has been given a tremendous amount of power here.

The plan applies in full to those development applications that were commenced after November 17, 2001. Parts of the plan prescribed by regulation—that's listed in clause 5(2)(b)—will apply to applications made before November 17, 2001, where no decision by the municipality has been made before November 17. So in effect, that's before the development freeze of last May. This is important; it does not apply to the cases where the municipalities made a decision and the matter is before the OMB. If a decision of any kind is being made by the municipality or other approval authority, the plan does not apply. We're waiting for the minister to get us a figure for the number of units that involves. The last I checked, we still were not given that information, and I'd like to know how many units that's going to be.

Developers owning these lands will not be bought out like those who are actually before the OMB. Ministry staff seem to imply that these lands are less ecologically important than the ones now before the board. I'm not so sure about that. I'm skeptical at this point. I don't know what others have to say about this, if they've looked closely enough at the plan, but I think I'd feel more comfortable if those lands came under the plan as well.

So that gives you some of the technical aspects of the bill. I'm going to stop here because—let me see if there's something else that I think the public might like to hear about in this bill.

Section 18 deals with matters before the OMB at the time of the freeze, and this section allows the minister to do one or both of the following: he can amend the official plan or zoning bylaw with respect to the matter by order, or he can notify the board that its consideration of the matter shall be deferred. This, in my view, amounts to rather less than an ironclad guarantee that these applications will not be allowed to proceed. The government has already announced that David Crombie has made a deal with the developers to exchange the land in Richmond Hill that was before the board for land in Seaton. Ontario government land in Pickering was designated for development but had not been developed. That had been done previously.

The government's proposing to make the Richmond Hill land into a showcase park, but at this point we have to take that on faith, because as it happens, the bill simply

does not provide those guarantees. Once again, that is a problem with huge chunks of this bill.

I don't think I'll go into other aspects of the bill. People who have been asking me about this can look it up and should certainly feel free to phone the minister's office or my office if they have any further questions about it. But the problem is that the bill requires that we take a great deal on faith here, that we take a great leap of faith. Having said that, I also understand that it would be very hard, and this is good, for the government to risk the anger of 905 voters by going back on the promises that they made last week, because most of those promises, for the time being, are carried out in the draft plan. I have a level of comfort at this time that the government won't do that, because of what I said previously. Way down in the polls, the Tories depend on votes in the 905 area. And there is a leadership race going on. Some of the contenders, some of the people who are planning on running—and not all of them from the area are planning on running—know that if they go back on this, they're in big trouble. So for the time being, I don't think that that's going to happen. But the potential is there for it to happen, right?

Another important question is whether the government is giving the developers more than they're actually legally entitled to, and I want to talk a bit about that for a moment. We talked to Rick Lindgren, who is counsel for the Canadian Environmental Law Association. Usually when I mention Rick Lindgren or anybody from the environmental law association, I hear howls from the government benches about these people, but tonight I don't hear a sound; that's probably a good thing. Rick Lindgren, who is a renowned lawyer in the environmental field and often comments on government environmental bills, pointed out that a 1985 Supreme Court decision allows municipalities to downzone properties without being forced to compensate property owners. This is a Supreme Court decision we're talking about and it's an important one to bear in mind. If, however, the government wishes to actually take over the land and do something with it, as they're doing now—establish a park, in some cases, on part of the land—then compensation would be required.

So you could say that since the Richmond Hill lands are being taken over for a park, that provision would apply in that case. But the landowners do not have the right to develop those lands as residential. This is why I want us to pay close attention to the developers and what kind of compensation they will be getting, because those properties were all zoned as agricultural, and it's my understanding—I may be wrong on this; if I'm wrong, I'd like it clarified—that all of the above also applies to the Gan Eden property, and I hear there are some special backroom deals going on there about that property. I hope I'm wrong, but that's what I'm hearing.

So you would say that logically, then, compensation in this case, in the form of a land swap, should only be given at the value the land has as agricultural land; and that is, I think, what may be in dispute here. What kind of



deals are being made with the landowners? We think those, especially if you fall under the Supreme Court decision, whose land is going to be turned into park should be compensated. But if the land was still zoned as agricultural, why should they be? They were speculators. That's often what developers are all about: speculating.

2050

Noise has been made about the protection of the Oak Ridges moraine. As you know, Speaker, when we were in government we were the ones who not only brought in the green planning act, but we also did an extensive study of the Oak Ridges moraine, which as you know got shelved by the Tory government, gathered dust and was never dealt with. We really have to keep a close eye on that property and make sure there aren't any special backroom deals being made with some of these developers because of their ties to the Tory government, and that they're fairly compensated in cases where they should be, but bearing in mind that under the law there's only certain forms of compensation they have to pay out. I'm just a little concerned—I've been getting the impression—that some of these developers are going to be paid at a higher compensation than strictly agricultural designation would require.

There's also the matter of the properties that were approved at some level by municipal councils but had not yet even gone to the OMB. The government seems to be content to let those proceed without reference to the plan. We should categorically oppose that. Absolutely, that is a piece that we are going to oppose.

Finally, there's also the question of what happens to the other land in the 905, especially class 1 agricultural land. The question is, now that they've decided to save the Oak Ridges moraine because of the political pressure, will it be, "Let 'er rip in the rest of the 905 area"? The Smart Growth councils that have been appointed by the government, after they got rid of the Greater Toronto Services Board, have yet to take form. This is going to be something we have to watch very closely, because the government has confirmed that developers will sit on these bodies. And they're not accountable; they're only accountable to the government—not to us, not to the taxpayers. It hasn't taken form yet, but I'm very, very concerned about it, especially in the context of this government's version—for heaven's sakes—of what they call Smart Growth. It's anything but smart growth, but it could provide an opening for the government to deliver for the developments on that prime agricultural land. That's something I want to let the government know that we're going to be paying very close attention to.

I want to point out, as I said earlier when I was talking about certain aspects of the bill, some of my concerns and the concerns of the New Democratic Party. The protections for the moraine area east of the greater Toronto area are actually weaker than the advisory panel recommended. Some of these areas are in the minister's riding. I don't quite understand what this is about. I'm not making any specific suggestions here, but why would

those parts in the minister's riding have weaker protections than were recommended by the advisory panel?

The aggregate extraction in natural linkage areas is also a concern. I have to tell you that the advisory panel, as I understand it, did not take a position on this one.

I want to talk about the concept of the land swap. I mentioned briefly, previously, some of the issues around that and how we have to watch closely that special sweetheart deals aren't made behind closed doors with certain developers who are close to the government. There is every indication that that is happening. We want every single land-swap deal made available to us, tabled in this Legislature. We do not want to see closed-door, behind-the-scenes, sweetheart deals going on where developers are being given more taxpayers' money than they deserve in this situation.

The whole issue around Seaton: in my view, from what I know about Seaton, there is some very sensitive—again, we're talking about some of it sitting on agricultural land, and very sensitive environmental land as well. I'm not sure if this is the right direction to go. I don't have a problem where it's legally advisable and fair to some of the landowners and developers to make some of these swaps. But others have mentioned it, and I want to say how strongly I feel about this. I'm going to get into the concept of Smart Growth here.

The Tory government of Ontario talks about Smart Growth as though building highways and building up areas outside the city, farmland, contributing to urban sprawl is a good idea. That's what they call Smart Growth. That term came from the US. It was coined, as I understand, by Gore, who was then the Vice-President. The concept was environmentally friendly growth, not building new highways; on the contrary, putting money into public transportation, not creating more urban sprawl but in fact creating the environment to redevelop brown-fields, to redevelop and continue to develop already built-up areas where the services already exist and public transportation exists. That is what Smart Growth is supposed to be all about. What this government talks about, when they talk about Smart Growth, is more highways. That's one of their plans, to build more highways.

I've got to tell you right now one of my biggest concerns about the bill, and I'm sure this is shared by my New Democratic colleagues: I'm opposed to the Conservative proposal to extend Highway 427 and to build a new superhighway at the north end of York region. As I've said before in this House—and everybody who pays any attention to what happens when you build a highway—when you build a highway, development comes. It is the iron rule. You build it and it absolutely comes, not to mention that it also increases urban sprawl and increases pollution and smog, at a time when up to 1,900 people in Ontario are dying every year from smog. A large majority of our smog comes from the automobile. We should be doing everything we can to alleviate that situation. We have a government that wants to expand or extend new highways.

Let's connect this proposal of the two new highways, or the expanded highway in one case, with the 10-year review. That was controversial when the advisory panel first came out and gave us a view of what they were going to be recommending. That was a bone of contention and it should be. I understand why some people feel that it could be a good thing. There are those who say, "You should open up the plan, take a look at it in 10 years and we could improve on it." But when you put this together with developers, who in this case will be losing some investment, the fact that they know that in 10 years' time it's going to be opened up and reviewed—you've got two new highways, an expanded highway and a new highway, and it's opened up, and who knows who's going to be in government and how much money some of those developers gave to the government of the day in advance, thinking about this? I can absolutely guarantee you that it will be a major issue. It's something that I am sure everybody in this House would like to avoid and everybody in the 905 region would particularly like to avoid, and that is where we're heading, should the government go in that direction.

I mentioned before the Smart Growth councils that the Premier announced last month as replacements for the Greater Toronto Services Board. I am as well very concerned about that. We have to keep a very close watch on who's on that and what kind of accountability structures are built in.

2100

I've been speaking about highways, and over the weekend in my riding in Riverdale Park I attended a gathering, a protest, a rally, whatever you want to call it, of the Toronto Environmental Alliance and many concerned citizens not only from my riding. Janet Davis, who is a candidate in the Beaches-East York by-election for municipal councillor to replace Michael Prue, came as well as many citizens from the area who are really concerned about the proposal to widen the Don Valley expressway. That is absolutely crazy. That again goes against the grain of real smart growth, to expand it instead of looking at how we can improve public transportation, what other kinds of things we can do to alleviate the congestion on that highway. It's going to become, I would say to the government, what the Oak Ridges moraine became: their stop Spadina issue, in a way. Like Bill Davis, this government now has caved and is mostly doing the right thing, with the caveats that I'm talking about here. I think this expansion of the Don Valley is going to become pretty big as well, because people in the inner city are not going to tolerate it. We are going to be asking all those good folks in the Oak Ridges moraine whom we came out to support, many of us in the city, for obvious reasons, for their help now. We are going to stop the expansion of the Don Valley Parkway.

I can imagine many people who might be listening to this debate or reading it later in Hansard who sit on that Don Valley, and I've been there myself, as I'm sure every member of this House has. It's very frustrating.

You are five minutes late for your Rogers TV show that's live and you're running in, or your TVO show, you go up the Don Valley, or you're trying to get out of the city to get away for the weekend and are stuck on that Don Valley. I'm sure there are a lot of people saying, "What's wrong with widening it? It's a good idea because it's so congested." What is wrong with the idea? There are a number of problems with it, but the major problem is, and there is absolutely no doubt about it any more: all evidence shows that you build a highway and the cars come. That is the reality. You widen the Don Valley and the congestion won't be cleared up. There will just be more cars on it, more vehicles, and we'll still have the same congestion that we had, but in the meantime even more pollution and more noise.

It was quite interesting being in the park on Sunday afternoon. It's fairly quiet on a Sunday afternoon, but the noise pollution—most people don't spend as much time in the middle of the park as I do. The Don Valley goes right under it. Leaning over the bridge and watching the traffic go by, smelling the pollution and breathing it in and hearing the noise—the idea of extending that, of widening it, if you go and take a look at it, is absolutely insane, beyond the pale, and it ain't gonna happen.

City hall is voting on it—I think it may be tomorrow; I'm not quite sure—sometime this week. I understand it's going to be a very close vote. But I also understand that because the government changed the environmental assessment—I remember that as well. One of the first things the Tory government did when they came into power was to gut most of the environmental laws in this province. The environmental assessment was one of them, along with intervenor funding. Those were both very important for citizens to be able to intervene in a meaningful way in things like the Oak Ridges moraine situation and the expansion of the Don Valley Parkway. That's gone, but what happened here with the Don Valley Parkway—Michael White, a friend of mine and a friend to many environmentalists and very involved for years in trying to stop new highways from being built and expanded, called me and was quite appalled and wanted to let me know that the environmental assessment had been gutted. I'm going to tell you how it's been gutted.

The environmental assessment was a very critical piece of legislation. There were many who complained, I remember when we were in government, that it was too cumbersome. There were many problems. In fact, there were some specific problems that we were in the process of fixing. We had no trouble with that. But what this government did was come in and just completely gut it, completely. It was just shocking what they did. I sat on the committee when it was happening.

What it came down to was a hole in the ground. There was a time under the Environmental Assessment Act that our environment was actually protected because the proponent had to do a number of things. First of all, the proponent had to look at alternatives to the site and alternatives to the undertaking. It had to look at economic



and social problems that may arise. All of these things had to be looked at. To some extent, depending on what the proposal was, what the undertaking was, it could be scoped. You didn't have to look at it all in every case. But those were important because it made a difference. It forced the proponent, it forced the board hearing the case, it forced the citizens, the scientists, the experts, everybody to look at the big picture.

I can guarantee you that had the environmental assessment not been gutted, the heart and soul torn right out of it and just now coming down to the hole in the ground, nobody would ever recommend and this province would not allow the Don Valley extension to happen. That's one of the fallouts from getting rid of an important piece of legislation like that, and the fact that there's no intervenor funding any more. Proponents would be ordered in large undertakings, like the building of new dumps and the building of incinerators and things like that—and it would apply, I'm sure, to the proposed expansion of the highway—to go through a proper environmental assessment, and the citizens of the province who were involved and had a legitimate interest could claim some intervenor funding so they could have a meaningful role before the Environmental Assessment Board. That's all gone now.

So I do want to put the government on notice that this is the next big fight. We're going to be out there. The fight against expanding the Don Valley Parkway is growing, so be prepared for that. As I said, we're going to be counting on many of our friends—who I know get frustrated sitting on that thing, but understanding that that's not going to solve the problems; it's going to create more pollution problems for all of us—to help us in that fight.

I wanted to talk a little bit about the green planning act, because the bills that the NDP brought forward were not just focused on the Oak Ridges moraine, although certainly given the dire straits we were in at that time in terms of the government's absolute refusal to do anything to save the Oak Ridges moraine, to put a freeze on it, all of those things, we were quite panicked most of the time, given these expensive cases going before the board and the inability for citizens to have much effect at the time.

Now, except for some of the major problems with the bill that we are going to keep an eye on and be asking for amendments on—the bill that the NDP brought before this House on the Oak Ridges moraine tried to bring back components of the green planning act that were important to the province in terms of not just saving the Oak Ridges moraine but saving environmentally sensitive land across the province. What it means, should we have that green planning act back or components of it back, is that we never would have had some of the problems that we had on the Oak Ridges moraine.

I remember the arguments we had in committee and in this House when this government was repealing our green planning act, one of the things I was so proud of. One of the discussions we had—the government rejected this, and environmental groups and conservationist groups came in to plead with the government to understand the difference between a system that would require muni-

icipalities, the province and the OMB to make decisions in a manner consistent with provincial policy statements. What happened is—and this was such a key component to that green planning act, which was, as I said, developed under extensive community public consultation. This component became, I think, the heart of it in many ways. What the government did was say that the municipalities, the OMB, the province, whoever was making these decisions, didn't have to be consistent with provincial policy statements but had to "have regard for." It could sound like semantics to many people, but I can guarantee you that it isn't. There are very good public policy statements, for instance, on the Oak Ridges moraine and around other sensitive lands in the province. The difference is that if you had "consistent with provincial policy," which is what our bill said, then a municipality or the OMB—and the OMB said it was a tool taken away from them.

Let's look at the Oak Ridges moraine development, for instance. You'd come before the OMB if a municipality made a decision to develop a piece of environmentally sensitive land, and the OMB chair or panel could look at the developers, the municipalities, and say, "Here's what the Planning Act says now. It says your plan has to have regard for the provincial policy statement. Did you have regard, Mr Jones, for the provincial policy statement?" and they'd say, "Oh, yes, we had regard for it. We took a look at it." This in fact has happened. "We took a look at it, we had regard for it, but we rejected it because for all these reasons it didn't fit with our plans." That's what has been going on.

#### 2110

When the system required municipalities to be consistent with provincial policy, they couldn't get away with that. It's a very huge difference. The developers, the community, the municipality and the OMB would have to look at whether or not the proponent, the municipality or whoever, is coming in with a plan consistent with provincial policy.

That's all gone now. The bill I brought forward—the two bills we brought forward—attempted to bring that back. Most of my bill was related specifically to the Oak Ridges moraine, because that was the issue at hand at the time, but it also—and it became even more important after Walkerton. It said that they "protect groundwater and surface water through the prohibition of development that would negatively impact groundwater recharge areas, headwaters and aquifers that have been identified as sensitive areas. Significant wetlands, wildlife habitats and natural corridors would also be protected." That statement applies to the Oak Ridges moraine, but it also applies to sensitive environmental land across the province. That's why the bills we put forward wanted to bring back that component of green planning. But it was particularly relevant, of course, to the Oak Ridges moraine.

Another policy relevant to moraine concerns urban form. That requires intensifications, compact development and limits on growth outside the current urban envelope. There were other policies that were part of the

Sewell package that dealt with things above and beyond sensitive environment land and protecting our water, dealing with things such as affordable housing and the retention of valuable farmland. These issues are salient right now in this Legislature, and that was an important part of the Planning Act. It wasn't just a green planning act that we brought forward, although that's mostly what it dealt with. But the green planning act did not look at planning in isolation, bits and pieces. That's what you hear—even the Gibbons report, which I have a lot of problems with, a lot of disagreements with. It moves too much toward voluntary compliance and volunteerism and devolution and less accountability from the government; a lot of problems with it. But one of the things they talked about—and it's something we had started under our government—not just with the Planning Act but with the Environmental Bill of Rights, the Environmental Commissioner, and under the Environmental Bill of Rights, was making sure that all the ministries had to come up with a statement about what they were doing in terms of all their new policies and laws and regulations coming forward. For the first time in the history of the province, all of the ministries had to look at the impact of their new policies and laws on the environment.

It was a very slow start. Ministries weren't used to it. I remember, as Minister of Consumer and Commercial Relations, a lot of the issues and problems that ministers and ministry staff had in trying to get their head around that, having to think through, what are the environmental consequences? But it was such a critical thing, to start not looking at environmental protection in a piecemeal way.

That, unfortunately, is what we've come back to now, that we're doing all these things in a piecemeal way. I think we've all figured out by now that you can't just pluck the environment and environmental protection and the protection of sensitive land and try to deal with it in isolation. When we talk about protecting the Oak Ridges moraine and not allowing many new developments there, new housing, it forces us to talk about housing: where are we going to build this housing for the people moving into the area? Well, there's a suggestion that it go to the Seaton lands. I'm suggesting that possibly Ataritari—remember that land the Liberals bought before the election in 1990? It's very contaminated. We have new brownfields legislation, which we all know is weak and the government's not putting any money into it. But that land is sitting there, practically downtown, and perhaps that's the kind of thing we should be looking at: the development of brownfields within the inner city. That's one idea I put out there.

But talking about development and housing gets us to thinking about affordable housing, because there isn't any new affordable housing being built. That's an issue that we as public policy-makers cannot ignore, that we have a housing crisis, a very serious housing crisis. This is something where the government keeps saying that the developers will build, and they don't, and in the meantime it's getting worse and worse and worse, and there's a crisis.

That also leads us to the retention of valuable farmland. The more you build up in rural areas on valuable farmland, not only does it contribute to urban sprawl—which is bad for all kinds of reasons, including bad for the environment because everybody has to travel in their cars and they have to build all these new services—but we're losing our valuable farmland. People don't think about that very much, but if you talk to farmers who are farming, producing the food for all of us, they will tell you that this is a problem. Some of them are offered high prices for their land, and given a lot of the problems for farmers today, some of them sell out. These developers, on speculation, buy up the land, waiting till the time is right to develop it. That's an issue.

All of these things have to be brought together, and that's what the green planning act did. I would submit to the government that it was wrong and foolish—I understand why they did it. Believe me, I looked at the donations to that party over the years from those developers, many of whom wanted to develop on the Oak Ridges moraine. I understand why they did it; it was probably a big campaign promise. But it was really foolish, because it's going to hurt our province in the long run. Without that kind of green planning act in place, we don't have the legislative structure in place to protect that farmland, to avoid the kind of urban sprawl that's going on. It took the government a couple of years of very hard lobbying by the opposition in this House and some of their own members and thousands of people in the Oak Ridges moraine area here in Toronto, and it took their going down in the polls and to have a leadership race, with probably some people from the Oak Ridges moraine area running, to get the government to finally do some of the right things on the Oak Ridges moraine. But it's not going to stop there. You've got one problem somewhat solved now, but there are going to be other problems cropping up all over the place.

The next step is in Seaton, where they want to relocate some of the development. It's going to be a problem. Then there's the expansion of the Don Valley Parkway and the building of new highways. There is no comprehensive environmental plan for how we build up our areas, how we create new housing, all of that. It's not comprehensive; it's just piecemeal all over the place. Those are issues that we have to grapple with over the next decade or so. The population increase for the GTA area is mammoth. The only plan that this government has is to build more highways and to expand development, now not on the Oak Ridges moraine overall but in the Seaton area. These problems are not going to go away; they're going to continue to be a problem.

Before I end here I want to come back to saying this: the Oak Ridges moraine legislation that we have before us in many ways I believe is more than we've dreamed they would give. I would say again that we have to congratulate the government for coming forward with this. It doesn't really matter in the long run why they made that decision; the fact is that they did. But there are problems with the bill. There are probably others that I



haven't outlined tonight, but the specific ones that I outlined have to be dealt with.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Are you supporting it?

**Ms Churley:** I don't know. I presume I'm going to be supporting the bill, but I'm going to need—if you were listening tonight you would know that I have a few major concerns with it and those concerns we have to deal with. I would say to the members opposite that the concerns I expressed tonight are real and they're serious. You're not going to hear about them just from me and the NDP; you will be hearing of them from some of your constituents as well.

**Mr Tilson:** So what are you saying? We are going to committee for three weeks?

**Ms Churley:** I think we need to be going out to committee.

**Mr Tilson:** No, you don't.

**Ms Churley:** Of course I do. I think we should be going out to committee. I imagine that the government would like very much to have this bill go out to committee. They haven't been getting a lot of good news lately, and I expect they will want us to go to committee so that they can get lots and lots of people in to pat them on the back and tell them how great they are. They haven't been getting much of that lately, and I don't expect you're

going to be getting much of it given your policies on so many other areas, some of which I talked about tonight—your awful environmental record. It's unspeakable.

I see the parliamentary assistant on the environment is looking at me, but he knows deep down inside that I'm right on this, because he's a smart guy. But he's got to follow the mantra. We know that they're not going to get many pats on the back, if any, for any of their other policies. If you think about it, on affordable housing, the environment, all of those things, health care, education, they are getting hammered, whacked, as my colleague from Trinity-Spadina would say. So of course they want to go out to committee on this one. But I can tell the members opposite that it should go out to committee and we should have some serious discussions about the problems that I raised tonight.

Mr Speaker, I know that everybody, including you, was listening to me with rapt attention tonight; I could just see it. I want to thank all the members for their attention to my speech tonight. I'm sure that they learned a lot from it, and I look forward to their comments and questions at the end of the evening. It being now almost 9:30 of the clock, we have a few minutes for questions and comments. No, we don't, the Speaker says.

**The Deputy Speaker:** It being almost 9:30 of the clock, this House stands adjourned until tomorrow at 1:30.

*The House adjourned at 2124.*

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## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 6 November 2001

Mardi 6 novembre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers

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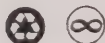
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 6 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 6 novembre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HEALTH CARE FUNDING

**Mr Pat Hoy (Chatham-Kent Essex):** Citizens of southwest Ontario are experiencing a crisis in health care. I have urged many Ministers of Health and the Premier to reconsider their disastrous policies. You have cut funding for hospitals, which resulted in bed closures, overcrowded emergency rooms unable to take patients, and diminished services across the board.

Since this government took office, the crisis has steadily worsened. In Chatham-Kent, surgeries have been cancelled, emergency wards have been closed, and now there will be no obstetrical coverage at the Chatham-Kent Health Alliance on November 9, 10 and 11.

Our doctor shortage is critical. I have begged this government for measures to attract physicians to the southwest. Again, I'm urging the health minister to lift the freeze on funding for community health centres to help areas like Tilbury, waiting since 1995 for CHC funding to attract doctors. I am urging him to provide an envelope of funding for nurse practitioners' salaries. Today, on behalf of the family of Mike Wells in Chatham and many other families, I beg the minister to maintain and protect the specialized paediatric and other services at the London Health Sciences Centre, at risk because of government cuts. This centre of excellence helps to attract and keep doctors in southwest Ontario.

I urge you to keep your promise. These programs gave the Wells family hope and the chance for survival. As a member of the Southwestern Ontario Paediatric Parents Organization, Mike is fighting to save these programs in memory of his son. No more cuts to health care. Restore these programs immediately.

#### CANADIAN FORCES

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I stand to honour all Canadian Forces, past and present, as we prepare to mark Remembrance Day. Remembrance Day takes on a special significance this year. With Canada's navy joining the counterattack on terrorism, it has become commonplace to wish them a safe return. I'm going to be less politically correct. I wish

our sailors victory and then a safe return. May God watch over them.

There are more than 116,000 Canadians buried overseas. They are the dead of the South African war, the First and Second World Wars, Korea and a number of smaller conflicts and peacekeeping operations. Our dead never got a share in the freedom they preserved. Because of their epic victories, this House can exist. We must never forget that there are people all over the world who would like to get rid of this House and all of our liberties and freedoms. We must never forget those who died to keep us safe and free.

It fills me with pride that people continue to wear the poppy. I urge all my constituents to join me at Brampton city hall next Sunday at 11 o'clock as we honour war veterans and the glorious dead. I'm asking them to bring their children and grandchildren and that they all wear their poppies.

#### CONSERVATIVE ECONOMIC POLICIES

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** In a few minutes the Minister of Finance is going to present this House with an economic statement, and I just want to point out here the extent to which this statement will misrepresent the finances of this province.

I expect the Minister of Finance to say that the province will continue not to run a deficit here. I want to tell the people of Ontario that this province, after six years of Conservative policy and Conservative financing, has a terrible structural deficit and it affects every aspect of public policy.

I want to talk about the deficit in our school systems, not only the cutbacks that have demoralized our teachers, but the lack of construction and repair of our schools is a shame. I want to talk about the deficit in our hospital system, the lack of beds. Hospital associations have been here today telling us that very thing.

I want to talk about the deficits that are now confronting every city and town in this province. The deficit of the city of Toronto has never been so large, and it's exactly as a result of Conservative economic policies.

This government has debased the tax system in this province. And today we will hear that we no longer have the money to afford the kinds of programs that Ontarians deserve. This is a disgrace, and the people of Ontario ought to know about it.



## HAROLD GRAHAM

**Mr Steve Gilchrist (Scarborough East):** I rise in the House today to pay tribute to former Ontario Provincial Police Commissioner Harold Graham. Commissioner Graham passed away Saturday in Toronto at the age of 84.

A long-time resident of Scarborough East, Commissioner Graham had a long and very distinguished career in policing in the province. During his time as commissioner, he helped modernize the OPP. He served for one year in the OPP's London detachment and moved on to the Sarnia department, where he worked for seven years. After that, he was promoted to inspector and transferred to the general headquarters in Toronto. At the time, Mr Graham had the distinction of becoming the youngest inspector in the criminal investigation branch. He was only 33 years old.

During the course of his career, he dealt with more than 100 murders, many of those cases being very high-profile.

Although he wasn't a flamboyant officer, he had the reputation for being extremely methodical. He was diligent and would dig deep for clues.

Mr Graham held the ranks of chief inspector, assistant commissioner and deputy commissioner before becoming commissioner in 1973.

Under his leadership, the OPP underwent tremendous change. Those changes included employing female officers, forming a special branch of First Nations constables, setting up the OPP's news and community services bureau and launching the new communications system.

Harold Graham also earned an impressive list of police and civilian credentials to back up his record. He was a member of the International Association of Chiefs of Police, the Canadian Association of Chiefs of Police and the Ontario Association of Chiefs of Police, president of the Ontario Public Service Quarter Century Club and a recipient of the Canadian Centennial Medal, and in all respects was a dignified and very capable leader of one of the best police forces in all of North America.

## HOSPITAL SERVICES

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Today I would like to bring to your attention the effects of this government's user fee policies, especially as it relates to hospitals.

I wonder how many members of this House are aware of this policy. For example, a person who requires an operation for a broken hip, according to this government, is allowed an average stay in the hospital of eight days.

Mr Lloyd MacDonald, who broke his hip on March 29, had to be hospitalized for an operation. Since his stay was more than the eight days, which under this government's rules is the average time allowed for this operation, the community hospital followed government rules and charged Mr MacDonald \$43.03 a day for 21

days. Mr MacDonald, this frail 81-year-old man, was served court documents in the amount of \$903.63 for his chronic care co-payment.

Also, this week the Queensway Carleton Hospital in Ottawa announced the reduction of 600 deliveries, or 23% of their maternity beds, due to a \$1.8-million deficit. Do community hospitals have to apply user fees in order to balance their budgets and survive, or will they have to cut beds and services?

My leader, Dalton McGuinty, Lyn McLeod and I, as well as the Liberal caucus, insist that this government give Ontarians the services they require and stop charging user fees and closing beds.

1340

## FRANCHISE BUSINESSES

**Mr Tony Martin (Sault Ste Marie):** It's been interesting in this place over the last couple of weeks to sit and watch the back and forth between the member for Hamilton Mountain, Mrs Bountrogianni, the Minister of Consumer and Business Services and the member for Kitchener-Waterloo, Mr Wettlaufer, regarding the issue of franchising.

I hate to be the one standing here saying, "I told you so," but you will all remember that it wasn't that long ago that we did a significant amount of work to regulate franchising in this province, and the government chose at that time the narrowest of approaches. We predicted then that what is actually happening now with Grand and Toy would in fact happen, that if you weren't willing to regulate the relationship, we would continue to have trouble, because no matter what you say, what's there now does not, where the relationship is concerned, level the playing field between the giant who is the franchisor and those small individual entrepreneurs and small business people across this province who are franchisees. So now you have Grand and Toy in mortal combat with their corporate owners.

You as a government have a responsibility. You dropped the ball when we were passing the regulation. You wouldn't move to regulating the relationship. So now I feel you have a responsibility to step forward and do the mediation that you refused to put in this act, to bring the partners together and to see that small business people and entrepreneurs in this province are duly protected.

## TAKE OUR KIDS TO WORK DAY

**Mr Bart Maves (Niagara Falls):** This week, students from my riding and across the province will be taking part in the Learning Partnership's Take Our Kids to Work job-shadowing experience.

Today I have my eldest nephew, Matthew Maves, visiting from Ridgeway-Crystal Beach High School. Matt's whole grade 9 classroom will be participating in the program tomorrow. Although computers are Matthew's current passion, you never know after today's

experience. He could become interested in politics, although the opposite may in fact end up being the case.

However, when these students do go back to their classrooms and discuss their individual experiences, this may pique the interest of many kids in the class in a variety of different careers.

Take Our Kids to Work Day is organized by the Learning Partnership, a non-profit organization that fosters collaboration among its members, who represent school boards, government, teachers and community groups, large corporations and employers. The first Take Our Kids to Work Day was organized in 1994. I encourage all parents to get involved in this program. It's a great learning experience for our children. I look forward to when my own kids are a little older and able to participate.

Matthew is not required to write a paper on today's events by his school, so I'm requiring him to write one, and Mrs Munro will be the one who will mark it.

### REMEMBRANCE DAY

**Mr Mario Sergio (York West):** This coming Sunday is Remembrance Day, a day devoted to paying tribute to the memory of the brave Canadians who served and died in battle.

As we have just barely ended a century in which two world wars were fought, it is fitting that we take time to remember the more than 1.4 million Canadians who proudly gave so much to defend our freedom. In their honour, we think of the many men and women who courageously answered the call and made the supreme sacrifice. The contribution they made so that we might live in peace can never be measured or forgotten.

It is indeed tragic that this year has brought a further 11th day to remember. In the destruction and terror of September 11, some 24 Canadians lost their lives. We remember and mourn with their families.

On November 11, the 11th hour of the 11th day of the 11th month, let us celebrate past victories, mourn lives lost, and pledge to take time to remember the ultimate sacrifice of those defending Canadian freedom and security today. On behalf of all the members of the Legislature, we extend our sincere condolences to the families of these innocent victims. We will never hear from them again. They will never be forgotten. They will always be remembered.

### DISCOVERY CENTRE AT THE NORMAL SCHOOL

**Mr Bert Johnson (Perth-Middlesex):** I rise to recognize the campaign underway in my riding to transform the Stratford Normal School building into the Discovery Centre. The normal school was built in 1908 to establish a set of norms for teaching in Ontario. The building itself is a great example of Italian Renaissance architecture. Last Thursday, the Renaissance Campaign was officially launched to raise money to preserve and

renovate this historic landmark that had fallen into disrepair after many years of neglect. So far, \$1 million in gifts and pledges has been raised to support the \$2.5-million transformation project. When the restorations are completed next spring, the Discovery Centre will become the permanent home for the Stratford-Perth Museum. The centre will also have rooms for art exhibits, educational workshops, as well as a theatre centre affiliated with the Stratford Festival and a tea room.

I want to commend the many volunteer members of the campaign committee for their hard work and dedication to this project over the past several years. I also want to recognize and thank the many project partners, including the Stratford-Perth Museum, the Kiwanis Club of Stratford, the Stratford Festival, the city of Stratford and the Friends of Normal School Heritage. Please join me in wishing the committee every success with the Renaissance Campaign.

### VISITORS

**Mrs Marie Bountrogianni (Hamilton Mountain):** On a point of order, Mr Speaker: I'd like to welcome the Ontario Undergraduate Student Alliance here today, fighting for the rights of students across this province. Welcome.

**Ms Caroline Di Cocco (Sarnia-Lambton):** On a point of order, Mr Speaker: I'd like the House to welcome Mark Baseggio, Garret Rocca and Emma Jackson from the Ontario Undergraduate Student Alliance.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill as amended:

Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students /  
Projet de loi 101, Loi visant à protéger les élèves contre les mauvais traitements d'ordre sexuel et à prévoir autrement leur protection.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed. The bill is therefore ordered for third reading.

### INTRODUCTION OF BILLS

1268519 ONTARIO INC. ACT, 2001

Mr Gill moved first reading of the following bill:



Bill Pr3, An Act to revive 1268519 Ontario Inc.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, the bill is referred to the standing committee on regulations and private bills.

HIGHWAY TRAFFIC AMENDMENT ACT  
(PHOTO-RADAR), 2001

LOI DE 2001 MODIFIANT LE CODE DE LA  
ROUTE (RADAR PHOTOGRAPHIQUE)

Mr Hoy moved first reading of the following bill:

Bill 126, An Act to amend the Highway Traffic Act with respect to photo-radar / Projet de loi 126, Loi modifiant le Code de la route à l'égard du radar photographique.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

The member for a short statement.

**Mr Pat Hoy (Chatham-Kent Essex):** This bill will provide protection for motorists who must drive the notorious stretch of Highway 401 between London and Windsor that has become known as Carnage Alley. This bill will follow the safety recommendations of two recent coroners' juries and implement photo radar on this dangerous highway.

1350

RESPONSIBLE CHOICES FOR GROWTH  
AND FISCAL RESPONSIBILITY ACT  
(BUDGET MEASURES), 2001

LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS  
FAVORISANT LA CROISSANCE  
ET LA RESPONSABILITÉ FINANCIÈRE  
(MESURES BUDGÉTAIRES)

Mr Flaherty moved first reading of the following bill:

Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government / Projet de loi 127, Loi mettant en oeuvre certaines mesures énoncées dans le budget de 2001 ainsi que d'autres initiatives du gouvernement.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I rise pursuant to standing orders 57(a) and (b), standing order 2, standing order 25(d), standing order 50, standing order 57, and standing order 58.

The purpose of an economic statement or update is to update, normally and historically. It is the view of the official opposition that what we see happening today is in fact the introduction—

**Mr Steve Gilchrist (Scarborough East):** You haven't heard it yet.

**The Speaker (Hon Gary Carr):** Order. I need to hear it. It is very serious. He may have a legitimate point of order. I need to hear it, please, member for Scarborough East.

Sorry, member for Windsor-St Clair.

**Mr Duncan:** What we see today, Mr Speaker, is in fact the introduction of a new budget. We are now tabling what we refer to in our standing orders as budget papers. The standing orders, Mr Speaker, call for certain procedures to be followed with respect, first, to the tabling of a motion; second, to the nature of the debate and how the debate is conducted; finally, to how votes are conducted.

In addition, it has been the tradition of this House that the government provides both the media and the opposition an opportunity to have a lock-up associated with any budget in that they can be briefed prior to the reading of the budget speech itself and, second, the tabling of budget bills relating to the budget motion.

In the view of the official opposition, this represents an unquestioned attempt on the part of the government to stifle our ability to respond to what is essentially a budget. We understand why they may wish to do that, sir. This is a new budget for the province, for all intents and purposes. We could not find a precedent that suggested there be budget bills associated with what is essentially supposed to be an update that goes over 20 minutes.

Further, the standing orders call for at least an hour of opportunity for the leader of the official opposition and the leader of the third party to respond to a budget.

Fourth, the standing orders call for at least one amendment and one amendment to the amendment to deal with a budget motion. We have no budget motion.

This represents an unprecedented abuse, in our view, of the system that has evolved over centuries in the British parliamentary tradition whereby governments can be properly held to account for their financial policies.

We ask you, Mr Speaker, first, to rule on whether or not this is in fact a budget bill, whether or not it is a budget paper, to use the language found in the standing orders.

Second, we call upon you to rule whether or not the opposition should have an opportunity to respond per the standing orders, and how the debate on a budget motion and budget papers is considered as distinct from a regular bill.

Third, we ask you to rule on whether or not time allocation could appropriately be used on what is essentially a budget paper. The word "budget," as I recall—and we've just now received the documents and the speech at approximately 1:45 in the afternoon on what is essentially a budget. We ask you, sir, for the reasons I've outlined and on those issues and other issues you may consider relevant to your decision, to find that in fact what we have presented today is a budget.

A final point, Mr Speaker: if in fact you find that and rule in that, there is a requirement under the standing orders for the government to produce new estimates within 12 days of the tabling of a budget document.

Clearly, if the government is changing its budget plan and providing all of the documents, then clearly the estimates now before the House and before committee must be considered in their entirety and from the perspective of the changes that obviously will attend these budget changes.

This question in our view is absolutely fundamental to the proper functioning of a democratically elected Legislature. No government should be able to usurp the rules that have developed through the traditions of this House, through our standing orders and through acts of the Legislature Assembly, the Parliament of Canada and Westminster.

Mr Speaker, I ask you to consider the interests of the population, to consider the interests of this House and to determine that what we have today is not an economic statement, but is in fact a new budget for the province of Ontario starting today.

**The Speaker:** I have received some information I didn't receive before. In the meantime, I'll try and look through some of the information that's come to the table to help. The member for Niagara Centre on the same point of order.

**Mr Peter Kormos (Niagara Centre):** That's part of the problem, Speaker, and you're obviously aware of it by virtue of the need for an opportunity to examine, among other things, the content. But at the end of the day, it's as simple as this: I put to you that it's not a complex thing at all, that if it looks like a duck, if it walks like a duck, if it quacks like a duck, it's a duck.

We were promised one thing and were delivered something entirely different, along with a massive number of pages of legislative endeavour that this government is imposing on us today in an effort to circumvent the requirements of standing orders 56 and 57.

One can suspect the government has a strong interest about wanting to endure the compulsory days of debate that follow a budget presentation. One understands that, but at the same time it doesn't make it right. I think the Speaker has to be very careful, with all due respect, not to let the government set the agenda in terms of its circumvention of the rules merely by imposing a new label on what is in every other respect a budget as contemplated by standing order 56, requiring of course, as it indicates, "unless recommended by a message from the Lieutenant Governor," and then of course in 57(b) in particular, the statutory requirement that there be a minimum number of days of debate around that action specifically.

If this were truly merely a reflection of an existing budget, then I put to you that the legislation tabled for first reading today should not have accompanied, as it did, the purported Ontario Economic Outlook and Fiscal Review. The risk, Speaker, in permitting this to proceed without at least some intermediary contemplation by you, and quite frankly by members of the two opposition parties, is that 56, once again, refers to, "Any bill"—we have a number of them, it appears, before us, at least one covering a number of statutes—"resolution, motion or

address,"—we're told we're going to be listening to an address—"the passage of which would impose a tax or specifically direct the allocation of public funds, shall not be passed by the House unless recommended by a message from the Lieutenant Governor."

If the Speaker permits this to proceed now without there being an opportunity to examine the material before us to ensure it doesn't violate that requirement, to ensure that it truly is, in terms of the legislation, a reflection of the already existing budget, that would then make the whole exercise academic and moot. We at least need an interim period of time for us to examine this material to see whether it stands the test of 56 and for you to do the same. Having said that, even if it does clear standing order 56, we still have what I put to you is a pretty transparent effort on the part of the government to avoid the statutory right of the opposition caucuses to engage in a minimum period of debate around a budget presentation.

1400

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Further to the same point of order, Mr Speaker: there are only two additional pieces of information I would like to provide for your consideration. One is that the document that has just recently been tabled is very clearly in print called "budget papers," and therefore I would submit to you that it does constitute a significant fiscal initiative on the part of this government and that it should have deserved the full consideration any normal budget would have received.

Second, by whatever name the government chooses to give this, there is precedent that has been set by this government. It was the minister's predecessor, Mr Eves, as finance minister, who did what I believe was termed an economic statement. I believe, if I recall correctly, that the date would have been November 1995. It was shortly after the government was elected. It was in lieu of a formal budget presentation, so I believe that's why it was called an economic statement.

On that occasion, the finance minister did have, as was appropriate, a full budget lock-up for members of the opposition, for the media and for relevant groups. I would submit to you, Mr Speaker, that this is no less a budget document than that economic statement that was made by Mr Eves, and that the precedent for this House has been well established.

**Mr Duncan:** On a point of order, Mr Speaker: We believe that before we can even introduce a bill, you need to rule on whether or not this bill is in order. We will clearly vote against it, but right now the very first of a number of considerations is whether or not this bill is in order, given that there was no notice of budget or budget motion brought first.

**The Speaker:** The government House leader.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, thank you very much for your consideration.



First of all, I think we need to be very clear with the members of this House that this is not a budget. The budget was brought—

*Interjections.*

**Hon Mrs Ecker:** If the opposition would let me—

**The Speaker:** Order. I was fair to the other side. I didn't allow them to heckle. I need to hear. I cannot have people yelling and screaming during points of order, if I could, please.

Sorry, government House leader.

**Hon Mrs Ecker:** It is my understanding that those papers that have been tabled here in this House, appropriately, are updates of what the spring budget was forecasting. So they are simply numbers which are updating the financial situation, as the Minister of Finance promised to do. He promised there would be an economic statement this fall to update us all on where we are with Ontario's finances, in an attempt to be very clear, in an attempt to be very open and in an attempt to share information not only with members of this House but with the public as well. They are papers in detail that update numbers. It is not a new budget. I think that is very important to stress.

Second, the finance minister is making an economic statement. Again, it is his right as a minister to bring that forward. The appropriate information for the opposition, compendiums, has been tabled both with the statement and proposed legislation.

The other thing is that the finance minister is certainly entitled to bring forward legislation to introduce in this House that may well have policy changes on the finances of the government, but it is not a budget. These are simply some statements, some announcements that he is bringing forward. Many of them have been previously announced by this government. He is within his rights, I would submit, to bring this forward, to table legislation, to table a statement in this fashion, with the appropriate papers.

**Mr Duncan:** Mr Speaker, we have already found in our brief review a number of substantive changes in the numbers that the government presented in the spring. The government itself called its bill a budget bill. Again, had the government taken the opportunity to provide members of this House with a lock-up to see this stuff before 15 minutes ago, perhaps we might feel compelled to say, "All right, that's the case."

I can tell you that in our very brief review, we found substantial changes. We have a government that's calling it a budget bill. We can't find a precedent where there was a bill related to an economic statement introduced in this House at the same time. The government, in our opinion, is simply trying to circumvent the proper democratic consideration of a budget bill, and that is fundamental to the functioning of this Legislature. Had the government House leader been serious about this, they would have provided a lock-up, as did the minister's predecessor, Mr Eves, in 1995.

We are left with only one conclusion. Based on the title of the bill, based on our quick review of what we've

been able to look at, this is in fact a budget. This is a budget that acknowledges they got it all wrong in the spring. This is a budget that is changing the financial policy of this government, and consequently the estimates of the government. In fact, sir, this bill is out of order and we ought to be treating it as a full budget.

**Hon Mrs Ecker:** With all due respect, Mr Speaker, I would certainly expect that the members would want a Minister of Finance to report to this House on a regular basis on the status of Ontario's finances, and that is simply what this minister is doing. He is fully within his rights to make a statement about the updating on the finances. That's what this is all about. He is fully within his rights to introduce legislation that impacts and changes certain policies of this government. As a minister of the crown he is certainly allowed to do that.

I would respectfully submit that if the opposition would listen to the statement, they would certainly hear what this is all about, instead of being so concerned that somehow or other this is a dramatic new change. It is simply a financial update. I think the Minister of Finance is trying very hard to be open with the people of Ontario in terms of putting this forward.

**Hon Chris Stockwell (Minister of Labour):** If we are going to examine—

*Interjections.*

**The Speaker:** Order. Not again. I don't need to remind you. The next time I do it, nobody is going to be here for the statement because I'm going to throw you out. I have asked at other occasions—when we are having debate in the House it's fine to heckle. Points of order, I cannot hear. You cannot yell during points of order when the Speaker is trying to make a very important ruling. This is a very serious matter before me. I will be looking at the documents, but it's a very serious matter with potential consequences and I need to hear it and rule very carefully. I would appreciate all members' support in allowing me to do that and not heckle people when they are doing the points of order, please.

Sorry, Minister of Labour.

**Hon Mr Stockwell:** Thank you, Mr Speaker. Just to clarify a few points of view from the other side's recommendation to you as Speaker, let me just say I don't think I've seen in this place—and you would be best to check history and check the budgets—where any budget was introduced in this House where technical amendments to budget income tax acts were not spoken to—in any budget. They are always spoken to in a budget, because during the year you need to make technical amendments that provide you with flexibility to make changes in-year without having to go through this exact process. All governments in the past have done it, as well as this government.

If you were not allowed to make those kinds of technical amendments in-year, the NDP wouldn't have been allowed to introduce their social contract. They wouldn't have been allowed to introduce their social contract because they were making major amendments to revenue expenditures, transfer payments etc during that process.

But because you're allowed to make technical changes in-year in your budget, that allows you the provision to react to certain economic realities of year over year. That has been an accepted fact for many budgets over many years, exercised by every party in this House.

Further, if the suggestion of the opposition benches is that every time a Minister of Finance wants to come forward to make an economic statement, to give you an economic outlook, thereby also suggesting he needs to make technical amendments, then for every economic outlook, in some cases under Mr Nixon and Mr Laughren that happened four, five and six times a year, they would then have to go through the whole process of lock-ups, budget papers, full discussion and full debate. It's frankly impossible to do. That's why the budget is placed before this Legislature, debated and passed, and the provision provided in the Liberal budget, the NDP budget and the Conservative budget is with: "Technical amendments to the tax policies will come forward at a later date."

Mr Speaker, there's nothing out of order here. It's a standard process, a standard practice used by those across the floor and this government. I would implore you to review those previous budgets, review the technical amendments spoken to in the original budget tabled by Mr Flaherty, and I think you will see there is no out-of-order business here. It's standard practice by every government used as long as I've been in this place and certainly before that.

**The Speaker:** I thank the member. With another point, the member for Niagara Centre.

**Mr Kormos:** On a point of order, Mr Speaker: I appreciate that my comments may be moot, seeing as how you've heard from the final authority. But, Mr Speaker, I would ask you to consider as well that in the normal course of introduction of bills, the government House leader's office advises opposition caucuses when there are going to be government bills put forward. To the best of my knowledge, that information was not forthcoming from the government to certainly this caucus's House leader's office today. Two, when the government makes a ministerial statement, those ministerial statements are distributed early after the House commences at 1:30 in the afternoon, clearly to give opposition critics and leaders, among others, an opportunity to read and anticipate at least in some respect what's going to be addressed.

This incident today is neither one nor the other. It was treated, quite frankly, with very much the same level of secrecy as would a budget. Indeed, we were advised that we wouldn't have access to the material that was going to be referred to until the moment the Minister of Finance stood up and not a second sooner. Therefore, it seems to take it well out of the realm of a mere ministerial statement.

The lack of information, the lack of advice to opposition caucuses that there was going to be a bill, or bills, presented this afternoon also creates more of a suggestion of this being a budget matter and indeed is sufficiently out of sync with what historically has been done here that it certainly calls out for your inquiry and attention.

**The Speaker:** I thank all the members for their input. Not having had a chance to review the documents, I will have a recess for 15 minutes while I have a look at the information that has been provided.

*The House recessed from 1411 to 1445.*

**The Speaker:** I have had an opportunity to review the documents presented. Let me quickly review what precedents are in order.

The first question to be decided is the orderliness of the bill introduced by the Minister of Finance. The bill is in its proper form. It is accompanied by the required compendium and a consolidation of the acts. Whether or not it contains measures as provided in the budget as presented in May has no bearing on the orderliness of the bill, and this is substantiated by precedent.

For example, in November 1990, the Retail Sales Tax Amendment Act was introduced in the House. In December, a bill similar to this one, An Act to implement the 2000 budget to establish a made-in-Ontario tax system and to amend various Acts, was also introduced. The point is that these bills were subject to all of the rules that any other bills are subject to. There is an opportunity to debate at second and third reading and, if the House chooses, it may send it to committee for hearings and debate.

As to the substantial issue of the statement we are expecting today—is it really a budget and therefore requires a budget lock-up and extended debate?—I can only say that a budget lock-up is an external apparatus which precedes what occurs in this House. There is no procedural requirement for it. That is not controlled by the Speaker. However, let me say very clearly that it is a strongly held custom that is deeply seated in our traditions, and hopefully that will continue.

As for compelling an extended debate, let me say this: a budget debate is preceded by a budget motion. It is the question in that budget motion which is subject to debate. We have no such question before us here today. What we do have before us today is a ministerial statement restricted to 20 minutes, followed by five-minute responses from the opposition. I can find nothing out of order.

However, let me say this: what has happened is that the trappings and proceedings have been escalated to make it appear in some circumstances, to some people, that this would be a budget, and when you put on a show like that, it is very easy for people to assume that it is a budget. In the future, hopefully the Minister of Finance will take that into consideration.

I again find that there is nothing out of order, and I believe we were at reading the bill. The minister had read it and I'm going to read it.

The Minister of Finance has moved An Act to implement the measures contained in the budget and to implement other initiatives of the government.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.



Call in the members. This will be a five-minute bell.

*The division bells rang from 1448 to 1453.*

**The Speaker:** Would the members kindly take their seats, please.

Mr Flaherty has moved first reading of a bill entitled An Act to implement measures contained in the budget and to implement other initiatives of the government.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Harris, Michael D.	Ouellette, Jerry J.
Baird, John R.	Hodgson, Chris	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Beaubien, Marcel	Jackson, Cameron	Snobelen, John
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Stockwell, Chris
DeFaria, Carl	Martiniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Maves, Bart	Tilson, David
Ecker, Janet	Mazzilli, Frank	Turnbull, David
Flaherty, Jim	Miller, Norm	Wettlaufer, Wayne
Galt, Doug	Munro, Julia	Wilson, Jim
Gilchrist, Steve	Murdoch, Bill	Witmer, Elizabeth
Gill, Raminder	Mushinski, Marilyn	Wood, Bob
Guzzo, Garry J.	Newman, Dan	Young, David
Hardeman, Ernie	O'Toole, John	

**The Speaker:** All those opposed will be please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Duncan, Dwight	McMeekin, Ted
Bartolucci, Rick	Gravelle, Michael	Parsons, Ernie
Bountrogianni, Marie	Hampton, Howard	Patten, Richard
Boyer, Claudette	Hoy, Pat	Peters, Steve
Bradley, James J.	Kennedy, Gerard	Phillips, Gerry
Brown, Michael A.	Kormos, Peter	Prue, Michael
Christopherson, David	Kwinter, Monte	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ramsay, David
Colle, Mike	Levac, David	Ruprecht, Tony
Conway, Sean G.	Marchese, Rosario	Sergio, Mario
Cordiano, Joseph	Martel, Shelley	Smitherman, George
Crozier, Bruce	Martin, Tony	Sorbara, Greg
Di Cocco, Caroline	McGuinty, Dalton	
Dombrowsky, Leona	McLeod, Lyn	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 50; the nays are 40.

**The Speaker:** I declare the motion carried.

The minister for a short statement on the bill, or will you do it later?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I will be making a minister's statement.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ECONOMIC STATEMENT

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The appalling events of September 11 have

reminded us that our most cherished values and our very way of life cannot be taken for granted. In the aftermath of these horrifying tragedies, we have gained a deeper sense of the values that define our society, values such as respect for the individual, economic opportunity, justice, compassion, and the free flow of people, goods and ideas.

Today, as I discuss the outlook for our economy and the state of our finances, my focus is on preserving and defending our core values. I believe we can remain true to our values by following the key principles that have guided our economic and fiscal policies since 1995. These principles include commitment to economic growth to create jobs; confidence that the people of Ontario are in the best position to decide how to spend and how to invest their own money; fiscal responsibility, which means spending tax dollars wisely and giving taxpayers the best value at the lowest cost; responsible choices, since government, in facing competing demands, has an obligation to set priorities and make responsible decisions; accountability, because the citizens of the province are entitled to know how their money is being spent; and protecting the most vulnerable, since as a caring society we have a duty to reach out to those who need our help. It is by fostering growth, spending wisely and making responsible choices that we are able to help those who are most vulnerable. Finally, looking to the future, so that while dealing with immediate concerns, we also plan for tomorrow.

These guiding principles have stood us in good stead. We will stay the course. Staying the course requires strong leadership and tough decisions. Since 1995, Premier Mike Harris has provided the decisive leadership we need. Under his leadership, Ontario has prospered as never before: 824,200 net new jobs have been created; take-home pay is up 20%; 602,000 people have broken the cycle of welfare dependency. We are expecting a third consecutive balanced budget for the first time in nearly 100 years. With the end of deficits, the province's credit rating has been upgraded.

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But prudent fiscal management, low taxes and more jobs are only half of our success story. The other half is that as a result, we are able to provide the services people rely on and help the most vulnerable. For example, we have delivered on our budget commitments to increase services for people with developmental disabilities.

Our economic climate in Ontario is changing. Now private sector forecasters, on average, expect Ontario's economy to grow only 1.1% this year and 1.3% next year. This is a substantial change from the 2.3% they predicted for this year and the 3.6% they predicted for next year at the time of our spring budget. Although private sector forecasters expect Ontario's growth to pick up in mid-2002 and accelerate to 4.3% in 2003, we know that serious economic and financial challenges lie ahead.

At this point, we have two options. We could let ourselves slip back into the days of deficits, high taxes and high unemployment. Or we can build on the Prem-

ier's legacy of strong leadership and renew our commitment to fiscal responsibility. We believe that the answer is obvious.

This government will not surrender the hard-won gains that have restored Ontario to prosperity. Today I want to assure the people of Ontario that because of the Premier's leadership and their hard work, Ontario is better prepared than ever to weather a period of economic uncertainty.

We remain on track for a balanced budget for 2001-02. As a cushion against the unexpected, we included a reserve of \$1 billion in the spring budget. We plan to use \$300 million to balance the budget this year, leaving us with a \$700-million reserve. Next spring we plan to table Ontario's fourth consecutive balanced budget.

It is true, of course, that a slowing economy means slower growth in government revenues, and our commitment to fiscal responsibility means that our spending can increase only as fast as our revenues increase. We are not a government that plans for deficits. Currently our revenue projections are down, yet pressures for more spending on priorities like health care, education and infrastructure are up.

Health care is the biggest item in the Ontario budget. Since the spring, we have increased funding to hospitals by \$300 million. This year we are spending more than \$23.7 billion on health care, an increase of 6.9% from one year ago.

We have increased our investment in health care by more than \$6 billion since we came to office, but the federal government continues to provide less to health care than it did in 1994-95. To maintain its 1994-95 share, the federal government should be providing \$2 billion more for Ontario health care in 2002-03, rising to \$3 billion in 2005-06.

To date, as the Premier said yesterday, we have been able to pick up the slack for Ottawa, but in a slowing economy we can no longer afford to do so. To be blunt, I hold out little hope that the federal government will make the necessary financial commitment to the people of Ontario and the health care of the people of Ontario. We will soon begin consultations leading up to the 2002 Ontario budget on how we can make up for the federal shortfall in health care spending.

This government will make the tough choices needed to secure Ontario's future. There is no question that this is the right government to lead Ontario in uncertain times. Some people would argue that in times like these we should not move forward with our tax cuts; others would even advocate raising taxes. But we believe that sticking to our tax-cutting plan is more important than ever. Low taxes attract business. More business means more jobs and higher government revenues.

Since we started cutting taxes, our annual tax revenues have increased nearly—

*Interjections.*

**The Speaker (Hon Gary Carr):** Sorry to interrupt, Minister. Order. We need to be able to hear. With both

sides shouting, it's very difficult. Sorry for the interruption, Minister.

**Hon Mr Flaherty:** Since we started cutting taxes, our annual tax revenues have increased nearly \$15 billion. With this government at the helm, Ontario has weathered heavy storms before. The people of Ontario can be confident we will do it again.

September 11 made it clearer than ever that safe communities are fundamental to a strong economy. That's why in the aftermath of the tragic events the government acted quickly to make Ontario safer.

Today I am announcing three more anti-terrorism and emergency management measures, bringing our recent investments in Ontario's security to more than \$30 million. This new funding will do three things: first of all, enable Emergency Measures Ontario to offer municipalities more help with community emergency planning; second, to build an anti-terrorism training facility for local police at the Ontario Police College at Aylmer; third, to build an emergency management training centre, particularly for high-rise emergencies, for firefighters and ambulance personnel at the Ontario Fire College in Gravenhurst.

Border security issues are also critical for the economy. One quarter of Ontario's total output is exported to the United States. Half of our manufacturing shipments go to the United States, and many Ontario factories depend on just-in-time delivery of imported parts. The free movement of goods and services across a secure border must be preserved. The Premiers of Ontario, Quebec and British Columbia have all called for a common North America-wide security perimeter. Business leaders tell me that Ontario must be inside, not outside, the perimeter if we expect to remain an attractive place to invest and do business. I challenge the federal government to commit to a North America-wide security perimeter.

We need to work with our American neighbours to remove barriers between us and build a secure boundary around us. Borders are a federal responsibility, but all provinces have an enormous economic stake in these areas. We need a joint approach to finding a solution.

Following the September 11 tragedies, we expressed our confidence in the people and businesses of our province by proposing to accelerate planned tax cuts. Today I am tabling legislation to advance to October 1 the reductions in personal income, corporate and capital taxes originally scheduled for January 1. I am pleased to announce that this bill would also accelerate the application of the lower small business tax rate to more businesses. These tax changes inject an additional \$176 million into the economy for this year.

We know that September 11 has had a severe impact on tourism. The industry has told us about lost business, lost hours and lost jobs in the restaurant and accommodation sectors. Last month, in response, the Minister of Tourism, Culture and Recreation, Tim Hudak, launched a \$4-million tourism marketing strategy.

Today I am announcing a further investment of \$10 million to support a more aggressive multi-pronged cam-



paign. This campaign has two parts. The first, Come Stay With Friends, is aimed at our American friends and neighbours in neighbouring states. The second, Pride in Ontario, is designed to encourage Ontario residents to help make up for the drop in international visits by travelling in our own attractive and exciting province.

I would ask families that might be thinking of a winter break to consider events here in Ontario, like the Festival of Lights at Cullen Gardens in Whitby, Handel's Messiah at Stratford and the Old-Fashioned Christmas Walk in North Bay. The people of this province can play a role in boosting the economy. If we pull together, our individual actions can make a big difference.

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Some other things people across the province can do are to start your holiday shopping right now; to give an extra present this year to someone less fortunate through one of the many charity drives in all our communities across the province; to go ahead with that home improvement project you've been putting off; to treat the family to a dinner out. In short, the economy will benefit if everyone gets back to normal.

We know that a slowing economy is especially hard on lower-income parents. We value their hard work and their dedication to raising their families. The tax cuts in the spring budget will remove 75,000 lower-income earners from the tax roles so that they can keep more of their hard-earned money.

Today we are thinking about families again. We understand that an economic slowdown is tough for them. For this reason, I'm announcing a one-time payment of \$100 to low- and middle-income working families for each child under age 7. It is our goal to get these payments in the hands of families in time for December holiday shopping. This would give these parents some extra help to do what they do best: care for their children. About 367,000 children will benefit from this initiative. The average payment would be about \$165 per family.

One of our economic advantages is the unparalleled commitment this government has made to investments in highways, hospitals, colleges and universities. These investments will support an increasing population and a growing economy. By the end of this fiscal year, the government will have invested nearly \$9 billion through the Ontario SuperBuild Corp and committed further funding to municipal infrastructure. Through public- and private-sector partnerships, the total investment will reach over \$13 billion. Moreover, we have committed \$3 billion to a \$9-billion transit investment plan. We are still waiting for the federal government to match our commitment.

SuperBuild's projects are coming on stream at the right time. They will help keep our economy steady in this period of uncertainty. Cranes and work crews can be seen in communities across Ontario in the hundreds of SuperBuild projects now underway.

Today it is my pleasure to announce a further series of SuperBuild investments: \$13.4 million toward a research

and technology park located on the campus of the University of Waterloo to provide high-tech firms and research companies with space to grow; \$6.6 million toward an upgrade of the David Street Water Treatment Plant, ensuring that 40,000 residents of Sudbury can count on clean, safe drinking water; \$32 million in priority projects to enable the city of London to take advantage of its strategic location in the Highway 401 trade corridor, such as the widening of Airport Road—

*Interjection.*

**Mr Frank Mazzilli (London-Fanshawe):** Why don't you shut your trap, Sandra, so the rest of us can hear?

**The Speaker:** Take your seat. Stop the clock. That's it, no warning, I'm naming the member and asking him to leave the chamber for the day. I will not tolerate that.

*Mr Mazzilli was escorted from the chamber.*

**The Speaker:** I'm sorry, Minister, I may have missed a few seconds on the clock. If we run down, I think there's about 10 seconds. I apologize.

**Hon Mr Flaherty:** Thank you, Mr Speaker. It's \$32 million in priority projects to enable the city of London to take advantage of its strategic location in the Highway 401 trade corridor, such as the widening of Airport Road and the servicing of Skyway Industrial Park; \$70 million toward a package of transportation and tourism investments in the city of Ottawa that will improve access to business parks, promote local tourism and support the city's smart growth plans.

Details on these initiatives, as well as hundreds of other sport, culture, tourism, transportation and clean water projects will be announced by year-end. All of these investments will help position Ontario for long-term economic success. They will also get capital dollars working now for communities here in Ontario.

Government is the servant of the people, and the people have a right to know how their money is being spent. Today I am pleased to announce that we are moving ahead with our budget commitment to perform a value-for-money review of provincial government services and activities. The purpose is to ensure that government dollars are focused on the core services that people count on, not on areas where government does not belong.

The performance of our economy and the quality of our lives are connected. It is a prosperous economy that creates the wealth to support essential public services, such as health care and education, and to assist those who need our help, and it is a prosperous economy that offers hard-working families the promise of a brighter future. We have the fundamentals in place for long-term growth, and we will not stray from this path. The people of Ontario can have confidence in the long-term future of the economy.

When I entered politics, I was thinking not about my own prospects but about the kind of world our three sons would live in. I think that is how most parents look at things. We make decisions not just for today but for tomorrow. Government must do the same, and this government is.

*Applause.*

**The Speaker:** Responses?

**Mr Dalton McGuinty (Leader of the Opposition):**

If the government members applaud this much for virtually nothing, it would be interesting to see what they would do if something of substance was ever presented by the government.

On behalf of Ontario's working families, I want to acknowledge receipt of this government's official declaration of intellectual bankruptcy. The idea well has run pretty dry. We find ourselves in the midst of an economic downturn, we've had plastered on top of that a horrific terrorist incident which has also dampened consumer confidence, and what does this government come up with? They come up with a series of reannouncements and they advise us to take the kids out for dinner and to go on Christmas walks. That's the best this government can come up with in these trying times.

Let us cut to the chase. While it's true that our families find themselves in the midst of an economic downturn and it is true that the events of September 11 have acted further to dampen consumer confidence, it is also true that this government has failed to act in a fiscally responsible manner, and our families are about to pay a terrible price.

While none of us could foresee the terrorist acts of September 11, we could all foresee, and it was eminently predictable, that there would be at some point, sooner or later, a downturn in the economy. This government should have prepared us for a drop in revenues. It should have prepared us for tough times. It should have built a firewall around services that families absolutely need to be able to count on. This government should have ensured that today we would find ourselves in a position where we could protect our health care, where we could protect our education and where we could protect our environment. Those are the kinds of things this government should have been in a position to protect. Instead, this government has failed to take advantage of the good times in order to prepare us for the bad times.

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I want to be very specific about the wrong decisions this government made. First of all, this government borrowed \$10 billion for tax cuts and today our families pay, on an annual basis, an additional \$800 million in interest. That was a wrong decision for our families.

As well, this government remains determined to proceed with another \$2.2 billion in corporate tax cuts for our corporations which are already competitive. When it comes to competitiveness, this government and our party have a decidedly different definition. They believe we should have the lowest corporate taxes in North America. We believe that when it comes to competitiveness, we should have competitive taxes and we should have the best schools, the best health care, the cleanest air, the cleanest water, and we should have fiscally responsible management. To our way of thinking, at the beginning of the 21st century, that is a progressive definition of

competitiveness which these people will never, ever understand.

Let me tell you about another wrong decision this government insists on making. At a time when our public education is struggling, at a time when parents are losing confidence, at a time when our test scores are simply not measuring up, this government is determined to transfer \$500 million to private schools. That's a wrong decision for our families. This government fails to understand that in a knowledge-based economy, a healthy, vibrant, robust, inspiring public education system is the foundation for our prosperity. They don't get it; we do.

The other thing this government simply fails to recognize is that our families do not support their continuing expenditures on partisan political advertising. Twice I have introduced a bill in this Legislature which would outlaw the use of taxpayer dollars on partisan political advertising, and twice this government has refused to support it.

The other thing this government did when it comes to making a wrong decision from the perspective of Ontario's working families is that this government blew \$1 billion on a publicity stunt and sent out \$200 cheques. I can tell you that where we find ourselves now at this time in our economic struggles, it would have been nice to have \$1 billion available to support education, to support health care and the protection of our environment.

If this government wants to be responsible and to protect the interests of our families and to protect our economy, what they should do is cancel the corporate tax cut, pass my bill on partisan advertising, and reject the expenditure on private schools.

**Mr Howard Hampton (Kenora-Rainy River):** Most people in Ontario, in Canada and around the world would agree that our world has changed dramatically over the last two months. Thousands of people have lost their lives. We witnessed in the economy to the south of us the admission that they've lost 400,000 jobs, the admission that consumer confidence has virtually disappeared, and the admission that they're going to lose even more jobs.

Here in our own province, 29,000 people have lost their jobs since May of this year. The government's own statistics tell us retail sales here are dropping, and are dropping considerably. The government's own statistics tell us that housing starts are also starting to decline. We know from some of the recent announcements from other corporations that have not yet cut jobs that they are very likely to cut jobs. People are worried about the state of the economy and they're calling on the provincial government to give a response.

What was the response today? The response today was that the government is going to continue to push \$2.5 billion in corporate tax cuts out the door. The government will look after its bank friends and its financier friends on Bay Street. But for the 29,000 people who have lost their jobs, the government has no plan. For people who are worried about losing their jobs, the government has no plan. For tens of thousands of people who work in sawmills across northern and central



Ontario, who are being told that their mill may shut down and they may lose their job, the government has no plan. For hundreds of thousands of people who work in the retail sector and who know, because of declining consumer confidence, they may lose their jobs, the government has no response. For people who live in north-eastern Ontario, where one mill has shut down today, the government's response is that they're going to make it easier to shut down the Northlander, rail transport, and cut more jobs.

This is a government that announced today, at a time when many people are worried about losing their jobs, losing their livelihoods, it will look after its corporate friends, and as for the rest of you in Ontario, you're on your own. That's what this government has said.

It is so revealing that at a time when housing starts are declining, at a time when we know jobs are at risk, the government talks about SuperBuild and doesn't even blush that it has actually cut capital funding by \$3 billion from what it was three years ago, when the economy was booming; that capital investment is now at an all-time low in Ontario. Not only that, announcements that it has made about SuperBuild, it cannot get out the door. So community after community that wants to repair its water treatment system, that wants to rebuild its sewage treatment system, that wants to put people to work on a valued community construction project, can't do it, because this government refuses to put the money out the door.

This is what should have been said today by this government. If it was serious in responding to the needs of all those people who are unemployed or who fear becoming unemployed out there, the government should have said that it is going to rescind the \$2.5 billion in corporate tax cuts. It should have said, to address the issue of declining consumer confidence, that it was going to create a retail sales tax holiday for the next three months so people can go to the shopping mall and buy what they need. The government should have announced today, not just announced today but should have been going to community after community around this province and delivering the cheques so that those needed community construction projects can begin now. After seven years of freezing the wages of the lowest-paid, it should have increased the minimum wage in Ontario.

## ORAL QUESTIONS

### CORPORATE TAX

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Finance. Minister, the economy is slowing down. You've revised your projected rates of growth. Last year, you told us that you expected this year it would be 2.2%, next year 3.5% in terms of growth, but you've revised those down to 1.1% and 1.3%, respectively.

Things are getting tight around here, and our families are wondering why it is that you remain hell-bent on proceeding with a \$2.2-billion corporate tax cut. That's not their priority; that remains your ideologically driven priority. Will you now admit that, given these economic circumstances, it is entirely inappropriate and irresponsible to proceed with your \$2.2-billion corporate tax cut?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Job creation is not ideological. The creation of jobs for people in the province of Ontario is fundamental to the health of our families. You know, you're still at the point where you don't get, through you, Mr Speaker, the concept that if you reduce corporate taxes, you increase corporate investment, that if you increase investment in plants and machinery and work sites, you create more jobs, that if you create more jobs, you create more revenues for the government of Ontario.

This isn't academic; this isn't theoretical. This is exactly what has happened in Ontario over the course of the past five years. Quite frankly, it's sad the Leader of the Opposition still doesn't get it.

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**Mr McGuinty:** We've had 26,000 fewer jobs recently, Minister. What I do get and what Ontario families do get is that we have the overwhelming majority of our exports going to the south, going to the US. They've had a very healthy economy, and that has benefited us. We've had a low dollar, we've had low rates of inflation and the Bank of Canada has been very cooperative in terms of keeping interest rates down. That is what has helped us here, the boom in Ontario.

The problem now is that the people down south are experiencing an economic downturn. Many would argue that they're officially, down there, in a recession. We are going to take it on the chin up here as a result of what's happening down there. We know our revenues are going to drop. We know people are going to lose their jobs. We understand that. What we believe as well is that it is entirely irresponsible, given the circumstances, to proceed with another \$2.2 billion in corporate tax cuts. I ask you again, Minister, on behalf of Ontario's working families, will you now cancel your ideologically driven corporate tax cut?

**Hon Mr Flaherty:** Ontario's families are working in large part because of the tax cuts. We want people working. We don't want people on social assistance. If the member opposite looks at the documents today, if he looks at the papers, he'll see in paper B, with respect to corporate tax cuts supporting investment, "The value of Ontario business investment in machinery and equipment almost doubled in real terms between 1995 and 2000. Real investment in commercial and industrial construction rose by about 35% over the same period. The value of building permits issued by municipalities for total commercial, industrial and institutional construction projects rose by 6.1% over the first eight months of 2001 from the corresponding period a year earlier."

Not only does the Leader of the Opposition not get it, he can't understand it. It's in the papers. He ought to

have a look at it and see the benefit for the people of Ontario. That's where jobs come from. He ought to know that.

**Mr McGuinty:** Minister, let's take a look at your government's record. We've had the slowest growth in the country right here in Ontario this year. We're anticipated to have the slowest growth in the country next year. These are the results of your government's economic policies. They're not the matter of recent events that took place south of the border.

Minister, you remain ideologically obsessed with a corporate tax cut, and as a result of that, you are compromising our future fiscal flexibility and you're compromising this government's ability to meet our families' continuing needs. We need textbooks in our schools. We need smaller classes for our children. We need more hospital beds in our hospitals. We need more environmental inspectors out there on the job, protecting the air and water for our families.

Those are the things that in an age where people are as mobile as capital make us truly competitive. We're after people. You think business alone leads to the competitiveness of our province. I disagree entirely on that. I ask you one more time, Minister, on behalf of our families, why do you remain ideologically obsessed with your \$2.2-billion corporate tax cut?

**Hon Mr Flaherty:** I don't know who the Leader of the Opposition thinks works for corporations. They are people. They are real people who have real families in Ontario. The health of their employers is vitally important for the health of their jobs and for the health of their families.

This is a Leader of the Opposition who 66 times during the last term voted against tax cuts. Every time our government brought forward a bill, he was against tax cuts. He says today he's against tax cuts, but when he ran as leader, seeking to become the government in Ontario, he said, "I will not reverse the tax cuts if I become Premier. You can't afford to do so. It would send out a negative signal about our economy."

Things may change. Today the Leader of the Opposition is against tax cuts. Two years ago he was for tax cuts. It's only Tuesday. I'll wait for the week to be out. He may change his mind.

#### ONTARIO EMERGENCY MEASURES FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Finance. In your statement today, one of the things you said is that you are bringing our recent investments in Ontario's security to more than \$30 million. I refer you to the document you produced on Ontario's finances, and specifically to the page entitled Operating Expenditure. Opposite the Solicitor General, there is, for in-year change, an additional \$12 million. You made reference in your statement to \$30 million. Some of your members say it should be additional. I guess I'll agree that there should be an

additional \$30 million. The only additional money that is supplied under your operating expenditure document is \$12 million. Minister, where is the \$18 million that is missing?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The cost of the new building at the Ontario Fire College, I understand, will be in excess of \$3 million. The cost of the new building at the Ontario Police College will, I understand, be something in excess of \$3 million. If the member opposite is against helping our emergency workers, if he is against helping our firefighters, if he is against making sure our firefighters, our ambulance workers and our police officers are safe when they're faced with high-rise situations, he should just say so. We think it's the right thing to do for our emergency workers in the province of Ontario.

**Mr McGuinty:** Perhaps we'll try again. Minister, you specifically stated just a few moments ago in your statement that you are going to provide Ontario security with more than an additional \$30 million. In your budget document, under operating expenditures—and I ask the minister not to confuse capital expenditures with operating expenditures—you provide an additional \$12 million. I'll tell you why this is not an academic debate: security measures weigh heavily on the minds of Ontarians and, as well, on the minds of our police chiefs, fire chiefs and people in our municipalities who want to take action with monies you are about to provide to them to ensure their communities are safer for Ontario families.

You've made a specific commitment for an additional \$30 million. My question to you is, why is it that in your operating expenditure document you tell us you're only going to spend an additional \$12 million this year?

**Hon Mr Flaherty:** Again, the Leader of the Opposition is having difficulty understanding what was in the remarks. The total was \$30 million—he's absolutely right—and some of those initiatives are in the papers he has and in the speech I just gave.

In counterterrorism—if the member opposite really wants to know:

Enhanced Criminal Intelligence Service Ontario: \$1 million for intelligence equipment, \$400,000 for training, \$2.5 million annualized, 24 new FTEs—full-time equivalents.

Enhance the ROPE squad: \$1 million annually, eight FTEs.

Establish the anti-terrorism unit: \$3.5 annually, 24 FTEs.

Enhance the OPP hate crimes and extremists unit: \$400,000, two FTEs.

Emergency measures: a one-time \$3.6 million, annualized \$7.36 million, 42 FTEs.

There are more on the list, but he probably has a supplementary and I'll be able to fill him in on it.

**Mr McGuinty:** Minister, you've been found out. You've been caught. You've been doing what many in your government do on an ongoing basis: you make announcements, and you don't back them up with substance. You said there was going to be an additional \$30



million for emergency measures in Ontario. Your document says there is only an additional \$12 million in your operating expenditure document. It's right here in black and white.

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This may be an academic argument as far as you're concerned, but I was in to see Chief Fantino yesterday. Do you know what he told me? He told me he hasn't received an extra penny yet from this government when it comes to implementing new emergency measures with his police service. I'm sure other police and firefighting services around the province have the same concern.

They're relying on you to come up with the extra bucks. You said specifically there would be \$30 million. Your operating expenditures say no, there will only be \$12 million. I have a very simple question on behalf of our police, our firefighters and Emergency Measures Ontario: where is the extra \$18 million?

**Hon Mr Flaherty:** The budget figure to which the member opposite refers is of course for this year. You can't hire people retroactively. When you stretch out and hire people, of course it's \$30 million. I would think the Leader of the Opposition, if he understands anything about Ontario finances at all, which is questionable, would understand that.

What I said in the statement today was that I was announcing three more anti-terrorism and emergency management measures, bringing our recent investments in Ontario's security to more than \$30 million. We think that's a good investment. We think we should be building a place at the fire college so our emergency workers can learn that. We think we should be building a new facility at the Ontario Police College in Aylmer so our police officers can be trained properly in anti-terrorist measures. We think those are the right things to do; apparently the Liberals don't.

### CORPORATE TAX

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance. Minister, yesterday your Premier went out of his way to say, six or seven times, that your government would not be finding more money for health care, yet today you have said clearly here that you have found the money to finance \$2.5 billion in corporate tax cuts. Can you explain to us how it is that your government can say, "We have no money for health care"—that was the clear message from the Premier yesterday—but your message here today is, "But we have lots of money for \$2.5 billion in corporate tax cuts"?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Because corporate tax cuts increase government revenues.

**Mr Hampton:** You are the Minister of Finance. We listened to the Premier very deliberately say it yesterday, at least six times. We hear in the media today the head of the Ontario Hospital Association saying that hospitals are not up to a major crisis, that they continue to have a cash

problem. We know that home care is being substantially underfunded across the province, and seniors and the chronically ill are being cut from home care. Yet you came here today and said that you can afford to finance \$2.5 billion in corporate tax cuts.

I think you owe it to the people of Ontario to tell them how it is that something we value so much in this province, that people in this province want to see preserved and sustained, your government says you have no money for, yet you boldly tell them you can finance another \$2.5 billion in corporate tax cuts. Please, will you explain that to people?

**Hon Mr Flaherty:** The member opposite clearly doesn't understand that it's not a question of financing corporate tax cuts or any other tax cuts. He advocates a reduction in the retail sales tax. Why does he advocate that? I assume he advocates that because he thinks it will increase government revenues, because you're accelerating the spending of money by reducing the RST. I assume that's what he was thinking about when he came forward with that idea. It's the same idea with personal income tax cuts and corporate tax cuts. What happens in fact is that government revenues increase.

I know you don't get that, but if you look at the history of Ontario in the last six years, it's been proven to be true. Imitation is the sincerest form of flattery. Not only has Ontario led in that way, but every other province in Canada has followed the lead of Ontario, and the federal government has followed our lead. The Prime Minister, the federal Minister of Finance, everybody except for the members opposite, understands that if you reduce taxes you will actually increase government revenues.

**Mr Hampton:** No, Minister of Finance, a temporary retail sales tax holiday would cost the province, one time only, about \$1.5 billion. Your corporate tax giveaway is a permanent \$2.5 billion. The one provides some funding for health care and education; yours doesn't. The one acts to stimulate consumer confidence; yours only benefits your corporate friends.

I ask you again. We've got people out there without jobs. We've got people who are going to lose their jobs. We don't have the funding for health care, as your Premier said yesterday, yet you have \$2.5 billion for corporate tax cuts. Admit it. That's your real priority. Your friends, the bankers, the financiers on Bay Street, that's your real priority. Everyone else in Ontario can sort of get in line. That's the priority, isn't it, Minister?

**Hon Mr Flaherty:** It's clear that the member opposite does not understand that most of the job creation in Ontario has not been in the large corporations. It's been in the small companies, the companies that employ five, six and seven people, those who employ the workers you speak about so often. Whom do you think they work for? Who do you think employs these people? Do you think the corporate tax cuts go to Bay Street? Where do you think people are working in Ontario? In your communities and in my community. They're working in small business, sometimes in medium-sized business.

Should we punish them? Should we somehow say to them, "You're not welcome in Ontario"? Should we make high taxes and do high spending like the Liberals did from 1985 to 1990, like the NDP government did from 1990 to 1995? Should we follow that road to ruin? No, sir, we will stay the course.

**The Speaker (Hon Gary Carr):** New question?

**Mr Hampton:** To the Minister of Finance again. We know, for example, that the six largest banks, having made profits of \$11 billion last year, are going to get the lion's share of your corporate tax cut. We know, for example, that all of those companies out there that are not making a profit this year are going to see nothing from your corporate tax cuts because, if they don't make a profit, they don't pay any corporate taxes. If they don't pay any corporate taxes, they can't get a corporate tax reduction. Stop trying to fool people—companies like The Bay, companies like Sears. Those retailers that are not making any money are not going to get anything from your corporate tax cuts.

You are looking after the most well-off corporations and the most well-off people in this province, and you're saying to everyone else who needs health care, who needs education, who needs community services, "You don't matter." I'm just saying to you, Minister, why don't you stand up and say that? It's obvious from what has gone on here over the last two years.

**Hon Mr Flaherty:** The job creation is with small business. We welcome small business. We've reduced taxes on small business in Ontario. We think that's a good thing to do. We think it's good that they reinvest in this province. We think it's great that they employ more people in our communities all across Ontario. We think that entrepreneurial spirit should be encouraged and we should celebrate their successes. I'm sorry the member opposite does not share that. I can tell you what he's saying about economic theory is voodoo. I have not heard such voodoo in economic theory since the Social Credit Party existed in Canada.

**Mr Hampton:** You know someone is in trouble when they start describing the opposition ideas with terms like "witchcraft." You know they're in trouble.

What I want to know, though, because you always refer to this, Minister: we've got 22 sawmills across northern and central Ontario that employ over 100 people each, and then indirectly more people are affected. All of those companies are facing layoffs. One in Kirkland Lake just announced 100 layoffs today. Would you tell us how your corporate tax cuts are going to affect or are going to help those thousands of people who are on the verge of losing their jobs? What did anything you said today do to help any of those people who either are about to lose their jobs or have already lost their jobs?

**Hon Mr Flaherty:** Actions speak louder than words. The actions of our government, led by Premier Harris over the course of the past six years, have brought a firm foundation to Ontario that the province did not have six years ago. When the NDP government—the leader of the NDP is asking the question—left office in 1995, when

they were turfed from office in 1995, the deficit for that year was going to be around \$11 billion. Imagine the condition we would be in now, in a time of economic slowdown, if that were the situation in Ontario today.

Similarly, when the Liberal government was thrown out of office in 1990, they had gone through a period of high spending and high taxation, increasing the gasoline tax, creating a new tax on tires, increasing the retail sales tax, increasing corporate taxes, and look at what they brought the province of Ontario: a recession in 1990-91. No, thank you. We will stay the course. We're not going to high spending and high taxes in Ontario.

1550

## ONTARIO ECONOMY

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. You indicate in your statement that next year things will begin to pick up in Ontario, yet in your economic outlook you point out that we will have the worst job creation performance since 1992. In your economic outlook it looks like we will perhaps see under 20,000 jobs created next year in Ontario. Just four or five months ago you were predicting 180,000 jobs.

If people in Ontario are to believe that we are going to see this economic upturn next year, why are you predicting the worst job creation in Ontario in at least 10 years, Mr Minister?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** There's no question that we have had phenomenal job growth in Ontario over the course of the last five years. We've had an economy growing at 5% and 6% and 7%, resulting in tremendous job growth, which is wonderful for the people of Ontario—more than 600,000 people off welfare, over 800,000 net new jobs created in Ontario.

We are in a time of economic slowdown. We are also trying to deal with the consequences of the tragedies of September 11. I don't relish those consequences. Every time a person loses a job in Ontario, that is a sad day for that person and for that person's family. I don't look forward to hearing about smaller job creation. But we are in a slowdown, and the key here is to keep an eye on the horizon, to keep a steady hand on the helm; not knee-jerk reactions, not quick little programs, not the kind of thing that was attempted by the NDP government in 1990-91, not high spending, not high taxation. Be steady, keep our policies as they are and keep Ontario an attractive place to do business.

**Mr Phillips:** I appreciate the rhetoric. I just say to you, Minister, that you told the people of Ontario a few minutes ago that next year the economy will begin to recover. People are worried out there. People are concerned. Yet I see in your economic statement that in fact you're predicting the lowest job growth since at least 1992. I simply want you to answer the question for the people of Ontario. You're telling them the economy will recover next year. Why is it that you are predicting job



growth of under 20,000 jobs? Can you give us an answer to that question?

**Hon Mr Flaherty:** If there's lower economic growth, which is what is anticipated, there will likely be lower job growth.

#### HIGHWAY NOISE BARRIERS

**Mr John O'Toole (Durham):** My question is to the Minister of Transportation. I want to be on the record about your prompt response to my letter earlier this year regarding a question from my residents in the riding of Durham; in Newcastle, specifically. They're asking for information about the construction of a noise barrier along Highway 401 in the village of Newcastle. They had pointed out that the noise on the 401, since its widening, I might add, under our government, has interfered with the enjoyment of their property. The ministry has indicated that the noise barrier is not currently in the minister's capital budget this year. I'm asking you today, Minister, if you can explain why this is the case.

**Hon Brad Clark (Minister of Transportation):** I want to thank the member for his question. I'd like to assure the member that this government is committed to highway improvements in Durham region that support economic growth and allow local residents to enjoy their quality of life.

I would like to confirm that the Highway 401 site in Newcastle is indeed a prime candidate on my ministry's retrofit noise barrier program. The project is subject to the availability of funding from the ministry's capital construction budget and, as everyone is aware, there are many projects competing for these capital construction dollars. Several strategic expansion projects are underway to relieve congestion on Ontario's highways. We have accounted for over \$1 billion in total capital spending and much of that was multi-year spending. They were awarded and we're working diligently to complete those projects.

**Mr O'Toole:** Thank you very much for that response. For the record, Minister, it's reassuring to hear that our government's commitment is there to invest in the important transportation infrastructure in Ontario. However, the residents of Newcastle are continuing to bring this need for a noise barrier to my attention. Can you confirm that this project continues to remain a very high priority candidate for the retrofit program, and could you indicate when the Newcastle noise barrier might be approved in the future?

**Hon Mr Clark:** It's important to emphasize that no projects my ministry has committed to have been cancelled. Every one of the commitments we have made remains as a priority for this government.

As for the Newcastle noise barrier, I am pleased to inform the member that the design of this project is nearly complete, and we will continue with some minor consultations with the community. This consultation with residents is planned prior to finalizing the additional short section of the barrier close to Lakeview Road. This

consultation will take place once the timing of construction has been determined. A number of strategies are being examined to keep individual construction projects on track, such as restructuring certain projects and matching some other projects with federal dollars. At the end of the day, I can assure the member that the noise barrier remains a commitment of my ministry.

#### HEALTH CARE REFORM

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. Your government has been determined to bring in user fees for health care from the day it took office. You started government with an \$800-million cut to hospital budgets to pay for your first tax cut. You told people they could get their care at home, and then you made them pay for that care. Then you brought in copayments for seniors' drug plans. Then you decided to make families and seniors pay for hearing tests. Then you made more and more people, mostly seniors, pay for physiotherapy. Now, Minister, you're at it again. You're bringing in another tax cut and you're talking about more user fees for health care.

Every new user fee hits hardest at families and at the elderly. Minister, Mike Harris used to say that a new user fee is a new tax. So I ask you, why are you prepared to tax families and seniors to pay for a tax cut for wealthy corporations?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Let's be straight on the record here. This is the government that added over 1,200 new medications to the Ontario drug benefit plan. This is the government that is a leader in the world in flu vaccination that helps our seniors, helps our children, helps all of the population avoid the flu and avoid the emergency ward. This is the government that increased home care, from when it was elected, by 72%.

We have nothing to apologize for when it comes to our caring and compassionate reaction to our growing and aging population. That is what we are committed to: being there for our seniors, being there for the population as the health care demands continue to increase and as we seek newer and better ways to deliver quality, accessible care to the people of Ontario.

**Mrs McLeod:** Minister, let's look at your government's record on health care. You set out to restructure hospitals to save \$800 million. Instead, you've created absolute chaos in the hospital system and your restructuring alone is costing \$2 billion more than it was expected to cost. You told hospitals to discharge people early to save money, but you failed to fund the home care to make that possible. Your surgery waiting lists are unacceptably long. You haven't been able to get primary care off the ground. Not one of your so-called reform initiatives has worked. Now your only answer for health care is more user fees for the sick and the elderly.

Minister, I'm going to give you a multiple-choice question: are you (a) completely incapable of managing health care, (b) deliberately setting up public health care

for failure so you can bring in your two-tiered health care, or (c) simply more concerned about corporate welfare than about people needing health care?

**Hon Mr Clement:** The correct response to the answer is (d): we will continue to care for Ontarians. We will continue to invest for Ontarians. We will continue to ensure that the health care system is sustainable, is accessible, is there for our seniors, is there for our children, is there for the adults. The correct answer is (d).

When it comes to the federal government's reply to that answer, their answer is (e): they don't care about our ODB. They don't care about our home care. They don't care about flu vaccinations. They don't fund a single red nickel of that. When it comes to health care from our federal government, the answer from Paul Martin is clear: he just doesn't care.

There's a game that goes around in the children's world, Where's Waldo? I say, where's Paulo?

**The Speaker (Hon Gary Carr):** It now being 4 o'clock, and pursuant to standing order 30(b), I am now required to call orders of the day.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I ask for unanimous consent for question period to continue.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

1600

## MINISTERS' STATEMENTS

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: As part of the presentation earlier this afternoon there were budget documents prepared and distributed in the gallery and elsewhere. None of the members of the opposition have been provided with those in their seats. We are informed that the government members were provided with them. I wonder if you could compel the government to share the documents.

**Interjection:** We haven't got them either.

**Mr Duncan:** Well, the government may want to share the budget documents with their backbenchers as well as members of the opposition.

**The Speaker (Hon Gary Carr):** For clarification, the government House leader.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, since this is not a budget, these documents were distributed according to the standard practice. House leaders, leaders and the appropriate folks on the opposition side did receive copies of these documents.

**The Speaker:** Just to be clear, under "Copies to Opposition,

"Two copies of each ministerial statement shall be delivered to the leaders of recognized opposition parties, or their representatives, at or before the time the statement is made in the House."

I believe they have complied with the standing orders.

## GOVERNMENT MOTIONS

### TIME ALLOCATION

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I move that pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities, when Bill 111 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered referred to the standing committee on general government; and

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That the committee shall be authorized to meet on Tuesday, November 13, 2001, in Windsor, on the morning of Monday, November 19, 2001, in Hamilton, on the morning and afternoon of Wednesday, November 21, 2001, in Toronto, and on Friday, November 23, 2001, in Ottawa, for the purpose of conducting public hearings.

That the committee meet on Wednesday, November 28, 2001, for clause-by-clause consideration of the bill.

That, on these dates, the standing committee on general government shall be authorized to meet outside of its regularly scheduled meeting times, but when meeting in Toronto, not during routine proceedings, and that the committee be authorized to meet on November 28, 2001, until completion of clause-by-clause consideration.

That pursuant to standing order 75(c), the Chair of the standing committee shall establish the deadline for the tabling of amendments or for filing them with the clerk of the committee;

That, at 4 pm on Wednesday, November 28, 2001, those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments thereto;

Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than November 29, 2001.

In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House; and

That upon receiving the report of the standing committee on general government, the Speaker shall put the



question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

When the order for third reading is called, that 90 minutes of debate shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "Deferred Votes"; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Acting Speaker (Mr Bert Johnson): Debate?**

**Hon Mr Hodgson:** I'm pleased today to speak on this time allocation motion concerning Bill 111, the Municipal Act, 2001. As I said when I introduced the legislation, this has been a long time coming. The current legislation has its roots in the Baldwin Act of 1849. At that time, Upper Canada was still being settled and built. The Baldwin Act created municipalities as democratically elected bodies with the power to levy property taxes, mainly to fund the construction of infrastructure—roads and schools, for example—to serve a largely rural society.

Times have changed. Most of Ontario's people now live in urban communities, and the role of municipal government has gone through huge changes. The current situation is that whenever a municipal council wants to take on something new to respond to some local need, the municipal lawyers have to look through hundreds of pages of law to see if the authority is there. If the legislation doesn't say they can do something, they can't. The next step would be to come to this Legislature to ask for a change or an addition.

The result, after more than 150 years, is a body of legislation that is large and unwieldy. Parts of the current Municipal Act are redundant, referring to municipal duties that have long since disappeared into history. It is little wonder, then, that municipalities have for many years been asking for a comprehensive overhaul. They asked the Liberal government and they asked the NDP government. I'm pleased to say that this government has responded to their request.

In 1995, we made a commitment to bring forward a new Municipal Act. We promised an act that would be modern, streamlined and easy to use. We wanted to introduce an act that sets out areas of responsibility for municipalities but does not tell them in great detail exactly what they are permitted to do and how to do it. At the same time, we wanted to make sure to maintain the fine balance that has been established over the years among competing interests, a balance that gives municipalities the authority they need to meet local needs while ensuring a dynamic, barrier-free Ontario economy in which towns and cities can maintain their competitive position.

The introduction of a new Municipal Act followed years of consultation, including the release of draft legislation in 1998 and countless meetings with stakeholders and working groups. The government received over 300 submissions on the draft act from municipalities and major client associations, such as the Association of Municipalities of Ontario and the Association of Clerks and Treasurers of Ontario. The former parliamentary assistant to the Minister of Municipal Affairs and Housing, Ernie Hardeman, held 13 meetings with more than 20 stakeholder groups representing the municipal sector and the business community.

Technical working groups were established to study some of the key issues, such as licensing, user fees, corporations in debt, and investment. These groups included nearly 50 municipal and business representatives, and their work is not done, as they continue to help myself and our ministry on the wording of these regulations—not to mention that both myself and the former ministers held personal consultation sessions with broad representation from right across the province.

In August of this year, I announced that legislation would indeed be introduced in the fall session of the Legislature. I released the New Directions paper that set out in detail what the new act will contain.

The municipal sector and the business community have worked hard on putting this framework together, and they deserve our congratulations. They also deserve our respect by acting on their request to make this bill a reality. The government will be helping municipalities with the transition, including education and training on the new act, if passed. They have told us they need help with this, and we agreed. We certainly cannot expect to change the rules they live by and then not provide the education and training support. We simply need the time in 2002 to do this.

Let me go over the highlights of this new Municipal Act. If it is passed by the Legislature, it would give municipalities the tools they need to tackle the challenges of governing in the 21st century. A Toronto Star editorial said, "The new bill brings the legislation governing Ontario's municipalities into the 21st century."

**1610**

This legislation would allow municipalities to organize and deliver their services as they see fit, involving the private sector where appropriate, in keeping with local needs. It would give municipalities broad, flexible authority in 10 broad areas of jurisdiction. It would also give them natural person powers, to be used in areas in which they have authority to act. Those are the same powers a person has to conduct day-to-day business without the need for specific legislative authority. As well, this proposed legislation would maintain certain municipal government powers such as the authority to tax, to regulate or to license certain activities. The legislation proposes some limits on these general municipal powers. For example, a municipal bylaw would not be permitted if it conflicts with a provincial law.

Some matters are of significant provincial as well as local interests. They include the natural environment,

health and safety and nuisance. In these areas, the proposed act sets out municipal powers in more detail. Provisions governing these powers would be streamlined. This broader authority would be balanced by a substantial accountability framework.

Municipalities are already subjected to a great many accountability measures including, of course, elections every three years. The proposed legislation would add a few more. For example, licensing and user-fee processes would be made tighter and more transparent. Municipalities would be required to report to taxpayers on improvements in the efficiency and effectiveness of their service delivery. They would be required to pass bylaws setting out procurement and hiring procedures. These measures are already standard practice in many municipalities.

The proposed new act also includes measures to give municipalities more authority to make their communities safer. It would respond to municipal requests by enhancing municipal powers to deal with crack houses, adult entertainment parlours and other problem properties as public nuisances by allowing municipalities to pass bylaws on matters which, in the council's opinion, are or could be nuisances and ask the courts to close down these problem properties. Such a request would be made after giving notice to the Attorney General, and with the agreement of the police in order to avoid the possibility of jeopardizing an ongoing police investigation related to the property.

The proposed new Municipal Act would give municipalities authority to better manage raves and adult entertainment parlours by clarifying that municipalities can seek community views before making related licensing decisions. Community input could help them identify conditions to attach to a licence and determine whether conditions are being met.

The bill also helps municipalities deal with heavily fortified buildings used as clubhouses by motorcycle gangs or others by allowing municipalities to enact bylaws to address the excessive fortification of buildings.

The proposed Municipal Act would also contribute to smart growth by giving municipalities more authority to set up corporations and involve private sector partners in financing and undertaking public projects.

Bill 111 formally recognizes the importance of consultation between the province and municipalities on matters that directly affect them. This new Municipal Act, if approved by the Legislature, would become the cornerstone for a new, more mature, more productive relationship between Ontario's municipalities and the provincial government.

I talked a few minutes ago about the long consultation process leading up to the introduction of this act and the support we have received. Let me tell my colleagues about some of the reaction to the legislation when we introduced it on October 18.

The president of the Association of Municipalities of Ontario, Ann Mulvale, called the day of introduction an historic day for municipalities and predicted the proposed act would improve provincial-municipal relations.

Mississauga Mayor Hazel McCallion said, "Now municipalities have greater flexibility to make decisions regarding services directly relating to them with more latitude and self-determination than before."

Kenora Mayor Dave Canfield said, "The most important thing was the consultation with AMO," and that he's confident the consultation process means the best possible new act is being proposed.

The Ontario Chamber of Commerce said in a news release that Ontario businesses had been worried that municipalities would have greater access to user fees and licensing fees as a source of revenue. However, spokesperson Ron McNeill said in the release: "The new act strikes a balance on these issues. Today's announcement indicates that the minister is listening to the concerns raised by the business community."

The president of the Toronto Board of Trade, Elyse Allan, said in a news release, "The proposed legislation gives municipalities better tools to manage their responsibilities and at the same time enhances accountability for the taxpayer."

This legislation clearly has the support of the people who will be most affected by it. Everywhere I go, whether it is in urban or rural, northern or southern Ontario, municipal leaders tell me now is the time to act. It's a big step forward for Ontario municipalities and the people they serve. I believe they have waited long enough.

This act, if passed by the Legislature, will lead to better governance in our communities throughout Ontario, and it's got the support of the business community. It's a balance we worked hard to maintain before we brought this act into the Legislature. I encourage everyone to support this.

#### **The Acting Speaker:** Further debate?

**Mr Bruce Crozier (Essex):** Well, here we are, another day and another closure motion. Let there be no mistake: everyone should understand that all a closure motion is is a motion that will cut off democratic debate.

It's ironic and passing strange that, as the minister noted, after 160 years there was a promise made in 1995 to bring in a new Municipal Act. Well, four years passed after that. Then, I guess the promise to bring in the act continued, and another two years have passed. Now we're down to the point where we have about 35 minutes to discuss, or continue to discuss, a 320-page piece of legislation.

You know, some people might be frustrated by that, and on occasion I feel frustrated that we aren't given the opportunity of full debate, the opportunity to put our ideas forward in addition to those brought forward by the government, and an opportunity for our municipalities—who only received this bill, I believe, a week or so ago, if in fact they've received a copy of it at all—particularly in my riding, where my interest is, to respond to this bill.

During the minister's remarks, the word "accountability" was used a couple of times, as well as "trust municipalities." The minister wants to build trust with the municipalities. I only have to go back a little while ago to



when this government brought in legislation that even told municipalities what they could put on their assessment notices. Where's the trust when this minister and this government won't let a municipality design or print its own assessment notice? I'll tell you why: there are some things municipalities would like to inform their taxpayers about that this government doesn't want them to know. So I suggest that accountability and trust are not really foundations of this bill. But democracy is. Democracy means you have the opportunity, as a legislator, to express the feelings of your constituents. Part of that expression—for example, where the minister talks about spending wisely—would be to express my constituents' outrage at the way spending in the political side of the Premier's office has gone up some 113% in the last few years.

Accountability would be what my constituents have brought to me: that they're shocked to hear that this government, during its early years and so far in its governing life, borrowed some \$20 billion, \$10 billion of which was for tax cuts; and the way this government continues to give tax breaks to profitable corporations—in the near future, some \$2.5 billion. Think of how that money could be spent by municipalities on infrastructure in these tough economic times. But we heard today in the finance minister's economic statement, as he called it, that there is no additional spending for municipalities. In fact, the question was raised by my leader, Dalton McGuinty, that in the area of security an additional \$30 million was going to be spent, and yet we look at the Solicitor General operating expenditures that were tabled today, and there's only an increase of \$12 million. As a matter of fact, when the question was raised to the Minister of Finance, he couldn't whip his head around quickly enough to the Solicitor General to find out what the answer was.

I don't know where the trust is in this bill, in the economic statement that was made today or in some of the questionable spending that this government has managed to accomplish over the last few years.

1620

There's one thing I want to touch on too. It's constantly brought forward to us that the federal government should contribute more to our health care, and yet I think it was a former finance minister who complimented the federal government on balancing its budget. When the federal government this past year in fact did give Ontario an additional \$1.2 billion in transfers, what did this government do? It spent it on health care, all right, but it didn't add another nickel to it.

When you on one hand compliment a level of government for balancing their budget and then on the other hand say, "In these tough times, we think you should give us in the province of Ontario another \$2 billion and you should give provinces across this country an additional \$7 billion," it just doesn't add up, because federal government revenues are shrinking as well as the provincial government's are. If the federal government were to go into deficit, who would be the first one to

howl but the provincial government of Ontario? Or maybe they wouldn't howl. Maybe they'd say it's OK for the federal government to go into deficit, but the provincial government is not going to because we have to take \$2.5 billion and give it to already profitable corporations.

There isn't time to go into it today because, as I said, we only have 34 minutes in which to debate this closure motion. But I don't hear this provincial government speak an awful lot about tax points, about a method by which the provincial government gets money that formerly went to the federal government, that was agreed upon by the provinces, and this province in particular; tax points that give additional money—not a cash transfer, not a lump sum amount of money that can be budgeted each year, but tax points, additional money that certainly in good times this province would have benefited from to a great extent. We don't hear about that. I'm disappointed that on occasion we're accused of not telling the whole story, so I turn around and say to you that it's merely like the pot calling the kettle black.

We have to be fair to everybody and we have to explain where all out finances come from and we have to respect, I think, each other's ability to pay. As has been said time and time again in this Legislature, there is in fact only one taxpayer. In this time of economic downturn I think ahead, where municipalities and the social services they're responsible for are going to have a tough time. They're going to have a tough time just like the provincial government and the federal government are going to have, and yet there was nothing in today's economic statement that would assist these municipalities.

We are standing here today debating a motion that we've debated time and time again, and that is one to limit debate. I started at the outset saying how frustrating it can be and how some may feel on given days that, what the heck, you might as well give up; there's nothing we can do about it, the government has a majority and so be it. It is the undemocratic practices of this government that keep me coming back to this place. I will continue to fight the types of motions like that which is put before us today. Consequently I can't support it.

**Mr Michael Prue (Beaches-East York):** I rise too with some very real concerns about limiting this debate. We have present and extant a law that goes back 149 years. Some 149 years ago, before Confederation, in the Legislature of Upper Canada as it existed then, a bill was passed to regulate municipalities. The regulated municipalities were very small by today's standards, and there were very few of them. Now 149 years have passed with that same legislation, with some amendments. It has served the people of this province, sometimes well, sometimes not. It has lasted for 149 years.

In all that period of time, what have Canadians, Ontarians, Torontonians and people in other cities and towns seen? They've seen a whole world change. They've seen Confederation. They have seen Queen Victoria come and visit and people come from all around the world to visit

our country. They have seen the First World War, the Second World War and Korea. They have seen a man land on the moon. They have seen the Berlin Wall rise and fall. They have seen a whole history that has spanned not one, but two, three or four lifetimes of experience.

In all that period of time, we had a bill, a law that was extant that governed municipalities. Now we have a new law being proposed. It is—and I have said this before—better than the old law. It has gone from 1,100 pages down to 350. It is eminently more readable. But I do have some difficulties when we have a law that has existed for 149 years, a law that still continues to serve the people in the cities in this province, and suddenly a new one has come along to take its place and we are given but three weeks to make legislative changes to improve upon that bill.

On the last occasion I spoke about the bill—and I'd like to speak a little bit more. I'd like to focus in on what I think are some of the problems and what people need to address and would address if they were given the time, if they were given the opportunity, if they were given a location, if they were given some real power to persuade this government, to persuade the Legislature to make the necessary changes.

First, this bill proposes that the municipalities be given natural person power. We all agree that municipalities should have that kind of power: the power to litigate; the power to go to courts; the power to do what any one of us would be able to do within the legislative framework, within the jurisdiction of the courts; the power—which goes slightly beyond that—to tax. The problem is that what is proposed in this particular legislation is very narrow and restricted. The natural person power does not extend in all respects because of circumscribed sections of the act, does not extend and give the full range of natural person power.

I believe that if this went out to public debate and if municipalities, 447 of them, were allowed to speak, if people who worked in the municipalities or their unions were allowed to speak, if senior bureaucrats or the lawyers for the municipalities were allowed to speak, if social agencies that work within the municipalities or get funding from them were allowed to speak or even if other people who are even more marginal than that but who are concerned about the state of municipalities were allowed to speak, that the whole question of broadening the narrow, restricted jurisdiction of the natural person power would come into question, that the government might be able to see that there should not be as many restrictions on that natural person power as they have proposed in those 365 pages and that they might just make the necessary amendments that would improve the bill.

1630

Second, there is the whole question of the memorandum of understanding. The memorandum of understanding is very good. It's about time there was a memorandum of understanding between the provincial government and the municipal governments of this province. For too long there has been no formal recognition of

what they do, and they do a tremendous amount of good in this province. They regulate and run all of the municipal services that I think people come to take for granted, services like roads and sewers and libraries and police forces, services like transportation and TTC, all of the things that in a modern and post-industrial environment we come to look for and to need and to want. They regulate all of that. There has never been an understanding by this level of government, the provincial level of government, to the municipalities, and what this bill proposes is that there be such a memorandum of understanding. We agree with that.

The problem is this: next Tuesday we are going to ask the municipalities in Windsor, or those that will come to Windsor, to make comment on this proposal, and the following week, Monday, Wednesday and Friday, we will be asking people to make statements in Hamilton, Toronto and Ottawa. There are 447 municipalities in this province. Many of them are not clustered in or near those particular locations. It will be difficult for some of them, particularly those in the north, to come forward and speak about what is being proposed. It will be difficult for all of them to be consulted on what should be in this memorandum of understanding.

I have some considerable difficulty, as much as I admire some of the provisions of this bill, supporting a bill for which a memorandum of understanding has not yet been signed. When we push this that quickly, so that this entire matter comes back before the Legislature on November 28, we may come back without a memorandum of understanding being signed. I think you would forgive me and forgive all of the 447 municipalities of this province for being just a little bit skeptical, because after the bill is signed, there is very little negotiating room between those municipalities and the province as to what is contained in the memorandum of understanding. In fact, what happens is that all of the power and all of the leverage would go to the minister.

The third problem I have with rushing through this bill is that the ministerial regulations that are proposed in this bill are many and varied, there are a lot of them, and what they do is circumscribe the power that is given to the municipalities, I think quite freely and quite openly, in 10 levels of jurisdiction. It circumscribes and takes back that same power so that the minister at any time can regulate on his or her own say-so what the municipalities might do.

There are many people, many municipalities, many others, who would like to speak to the ministerial regulations and how they, in turn, should be minimized, because there are many spheres in which they cannot and should not be used. This is not being given an appropriate time, in the four days, to be talked about.

There's a whole discussion here about the reduction in the numbers of politicians which is contained within this act and the authority of the minister to reduce the numbers of politicians. I know some of my friends opposite might be interested in doing that; in fact, they were very successful in doing exactly that in places like



Ottawa, Haldimand-Norfolk, Hamilton, Toronto and Kingston. But, with respect, you are asking for the co-operation of the municipalities in putting forward this new Municipal Act, and you would pardon some of those same people in the 447 remaining municipalities for being just a little bit skeptical as to how this is going to happen in the future.

It sets out that the minister can, at any time, reduce the number of politicians, and this causes some very grave problems for some municipalities. I will use my own, the one I live in, the one we are situated in now, that of Toronto, which has been reduced from 57 to 44 and quite conceivably, under the authority granted in this act, unless there is something to circumscribe the minister's power, could be brought down to 22.

Just so the members opposite might understand that, that's the same number of politicians in Toronto at the municipal level as there are in this House representing Toronto, 22. If you think that's good for Toronto, and I would suggest it's not, think about your own municipalities, your own ridings where you come from. That means your riding of 100,000 or 110,000 people, wherever that might be, Guelph or North Bay or Oshawa, would have one politician from it, one municipal politician for the entire riding, for all the towns and cities in it. Would you allow such a thing to happen in your riding? Would you allow such a thing to happen in your municipalities in that riding? Yet this bill gives exactly that authority to the minister. The people of Toronto, having gone through a forced amalgamation and a downsizing, are very wary about giving the minister or the government that kind of prerogative to do so whenever they wish. I'm sure there will be many people who wish to speak to that issue. They will not have a chance if there are only four days of hearings.

You have the whole problem of the changing of the wards. In every municipality in Ontario, save and except those that were forcibly amalgamated against their will, those municipalities have the authority to change the ward boundaries within their existing communities. But in places like Toronto, they cannot do so. The Legislature here chose where those boundaries would be, and the only thing the municipality can do is choose how to carve it, presently, in half. The City of Toronto Act overrides the Municipal Act in this regard, so the people of the city of Toronto, if this passes, will be second-class citizens in this province forever. They will not have the authority to set their own municipal wards. They will forever have to set them based on what is good enough, I suppose, for the federal government and for the province, because we all have the same boundaries if you are lucky enough, or unlucky enough, as you see fit, to live in what is now the city of Toronto. It is simply not a fair circumstance.

What is good for Toronto, I would suggest, should be good for Guelph, North Bay, Oshawa or Windsor. But in fact the government opposite has never seen that this is right. I would suggest that the minister should have a very good look at restoring some semblance of local democracy to the city of Toronto on that. I'm sure there would be people who would like to speak to that.

There are other changes that people would need to speak to. One of them is changes to the tax-free allowance that some municipal councillors get; that is, one third being tax free. That's an old idea. This House saw fit to do away with that for its own members a number of years ago and simply pays people the equivalent of what the tax-free allowance would have been, to the tune now that most members make \$80,000 a year plus whatever other fees they get for added responsibilities.

In municipalities, they are going to be allowed to do the same thing, but they are not going to just have it legislated, which would make it easy for them to do; they are going to have to pass their own bills and then have people complain that the politicians are upping their salaries. I suggest that this is very unfair and that if the province is intent upon doing away with that archaic form of one third tax free, they should have the necessary resolve and put it in the legislation that the province will do so upon the request of the municipality.

The next problem I see with the bill, and which I think people would want to talk to if there were sufficient hearings and if there were sufficient time, is the repealing of the bylaws. Every municipality is going to have to review all of its bylaws before 2006. If they don't review the bylaws, the bylaws will then cease to be in effect.

In the city of Toronto alone, there are some 15,000 bylaws. Now, Toronto is a big place, and I guess has sufficient wherewithal, with lawyers and bureaucrats and other people, to review those within the next four years and a couple of months. But that's still an onerous and big task.

But what about the little municipalities of this province? What about the small towns? What about the Bancrofts? What about the little towns that I drive through, Kirkfield, the little towns in Minister Hodgson's riding? What about them? How many bylaws do they have, and where is the money and the expertise to help them review all of those bylaws to see whether they conform with this Municipal Act? There is nothing in here. I'm sure the good people of Kirkfield, Cobocook or Lindsay would want to have something to say to the minister about this if there was a hearing held in their area.

#### 1640

We have the problem too of licence fees. The licence fees within this new act do not contain the provision which allows for licences to be withheld to benefit local small business. They are limited to the areas of health and safety, nuisance and consumer protection. "Consumer" is not defined, which is a problem in itself. The problem is, there's nothing there to limit it to help small businesses, and I give members opposite the example where they are used a great deal in many cities in this province: if someone were to open a restaurant and sell food, many of the cities would allow that you could not issue a licence to sell foodstuffs within a certain proximity of that restaurant. But what this may allow now is that a person will open up a restaurant, try to make a living, pay full taxes on the buildings to the municipality,

pay full taxes to the province, but someone could come along with a hotdog cart and park it in front and there is nothing any more that allows the municipalities to have a say on this. I think this needs to be debated. I'm sure the municipalities would want to talk about that if they had an opportunity and if there was a full debate.

There's the whole problem of municipal reorganization. I've dealt with this a little bit about Toronto so I'm not going to talk much more, but I'd like to go into some of the other things about municipal organization. Bill 26 will not be rescinded on December 31, 2002. This will cause some problems. It was supposed to rescind itself. It is being allowed to continue, to allow the minister to continue municipal reorganization with or without the approval of the municipalities involved.

What will also happen is this: where restructuring is requested, studied and proposed by the municipalities, it used to be that the minister "shall" approve their restructuring; now the law says that he "may" approve the restructuring. What that means is, it gives a great deal of power to the minister to simply say no and send everything back to the drawing board. After municipalities have sometimes spent years studying and agreeing among themselves how to restructure or to amalgamate themselves, the minister can simply say no because the minister has that prerogative with the verb "may."

We have the problems of public utilities commissions that still exist in the province. There are only a few that are elected now; most of them are appointed. But for those few that are still elected, the act says they "shall" all be appointed, which takes away another opportunity for ordinary people in municipalities to have a vote and a say on who runs something as vital to them as their electricity, their water and the other things that public utilities commissions—

*Interjection.*

**Mr Prue:** Yes. What it does is, it allows appointments and takes away the democratic right to choose people who will serve in their best interests and, conversely, to kick out those people who do not serve in their best interests. They get appointed people and they no longer have a say. We need to talk about that. There will be people who will want to talk about that if they are given an opportunity to do so.

There's the whole problem of municipal services boards and what they are really going to accomplish. Granted, many of them do very good jobs. Many of them do exceptional jobs in Toronto with things like the Toronto Transit Commission or Hydro, but there are those who are worried that to put everything into the hands of municipal services boards would be a precursor to privatization. They need to be heard on this issue. The government needs to assuage those fears. The government needs to very much circumscribe when and how they are established, what their authority is and whether or not in fact they can subsequently be sold off.

I want to give my friend here an opportunity to speak, so I'm going to wrap up here.

There are 447 municipalities in this province. The government has consulted broadly with the Association

of Municipalities of Ontario, called, in the vernacular, AMO. They've done a good job in that. They've also consulted widely with the business community, particularly the development community that builds new homes and factories, about what they need to make this better. They have done that. I would acknowledge to them that they don't need to go out and talk to AMO any more and they don't need to go out and talk with the development community any more. But who they have not talked to, and who they need to talk to, are the workers in the municipalities, on how this is going to affect their jobs and how they are going to be able to carry out their jobs with the changes that are contained.

They need to talk to the workers' unions, because I'm sure that some of them will be more than concerned about the possibilities of privatization, or the changes and how that will affect jobs within each one of the 447 municipalities.

They need to talk to the bureaucracies, particularly the big bureaucracies of the larger municipalities, about the expertise they have about this legislation and how it will impact.

They need to talk to the social agencies, those who deliver social services to mothers, to children, to the elderly and those who rely upon municipal authority and municipal monies to do it. They have not talked to those people.

They need to talk to those municipalities that are two-tiered. They need to talk one tier against another tier to determine how the Municipal Act will impact upon the relationships of those tiers, one to another.

Sometimes they need to talk to municipalities that do intermunicipal co-operation, where roads and sewers cross municipal boundaries that are not two-tiered and where the municipalities themselves have assisted each other in delivering service. They have not talked to those that deliver intermunicipal service.

This act does not come into force until the January 1, 2003. We have one year and two months to get it right. We don't have to do it all in three weeks. We have one year and two months to get it right and to make sure that this act would be able to withstand what the last one did—stand for 149 years.

Now, I would hope it wouldn't, because the earth is changing very rapidly and cities are probably the fastest-growing and most dynamic part of a rapidly changing environment on the face of the earth. I hope that 149 years would not have to pass, but given the snail's pace at which governments sometimes work, it is important to make sure that when we do it, we do it right.

There is no movement at all on the memorandum of understanding to date, absolutely none. At an absolute minimum—and I think I can speak for my caucus on this—we want to see the memorandum of understanding before this entire bill comes back for final reading before the House. The cities want to see the memorandum of understanding and the people want an opportunity to speak.

I implore the members opposite not to vote for this closure, not to try to ram everything into four days in



four isolated cities across the province, but to give all peoples, all groups, all of those who are interested, all municipalities—whether they belong to AMO or not—an opportunity to comment, to make the appropriate changes and, as Minister Hodgson has said, to make this bill even better than it is. It is a good bill. It could be great bill, but that rests with giving the people an opportunity to speak and being prepared to make the legislative changes that they suggest by way of improvement.

I think those would be my comments, and I thank the members opposite for not heckling even once.

**The Acting Speaker:** Further debate?

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate, and certainly it's time to move forward with the Municipal Act that is before us and the changes.

At the heart of the proposed Municipal Act is a new flexibility for municipalities, balanced with a strong accountability framework. I can say as a former alderman in the city of Barrie, from 1991 to 1995, that during that time frame we were looking for ways to get away from the municipal straitjacket that had been imposed on us by the provincial government at that time in terms of requirements that they were expecting us to follow through on and that were certainly not in our domain of what we should be responsible for. It was like a straitjacket in terms of trying to deal with the Municipal Act and the compiling of obligations that were put on it. That actually started under the Peterson government after 1987 and was complemented more so by the Bob Rae government during that period of time.

1650

Even during that period of time, when we were dealing with municipal issues, in 1991 or early 1992 actually, the city of Barrie and the town of Innisfil lost GO Transit out of a decision made by the NDP government. It has not been returned, though I'm working very hard to get it returned to the city of Barrie and the town of Innisfil, getting them back into the GO Transit system.

The framework with respect to this legislation includes several new accountability measures and many that are already in place in the current Municipal Act. I'd like to talk for a few minutes about the various types of powers the proposed new Municipal Act would give municipalities and how they would work together.

As the members may know, the current act is very prescriptive. The municipal powers are set out in detail. Municipalities cannot do anything that isn't specifically authorized in the legislation. There's a problem with that approach. It means that when municipalities want to do something new, something that hasn't been thought of before, municipal lawyers have to look through the huge body of legislation, and it is a huge body of legislation, that applies to municipalities. There are some sections in the legislation that have so many subsections that you go for many pages in terms of determining what a municipality can actually do. You would know that, Mr Speaker, as a former councillor and mayor. And it's not just the Municipal Act.

Municipal lawyers determine whether there's a clause somewhere that gives them the authority to do what they want to do. That's a very challenging process when you're dealing with municipal law. If not, they either don't do it or they come to the Legislature for an amendment to permit them to go ahead. That's not very efficient, nor does it encourage creativity on the part of municipalities. The proposed new act would change all that. The general spirit of the new act is that it would give them certain areas of responsibility and the general authority to deal with those areas of responsibility.

At the heart of the approach is the concept of natural person powers. Natural person powers are the powers an ordinary person has to do things. Many corporations also have those powers. These are the powers municipalities need to conduct day-to-day business in this challenging environment: the power to enter into agreements; the power to purchase and sell land and equipment; the power to hire employees and to delegate administrative responsibilities to committees, staff members or other bodies such as boards of management. Municipalities would only be able to use their natural person powers to carry out the duties assigned to them through the spheres of jurisdiction set out in this proposed act and through other legislation that affects them.

Those spheres of jurisdiction include highways, including parking and traffic on highways; transportation systems other than highways, and that means things like transit, ferries and airports; waste management, which includes collection, recycling, composting and disposal; public utilities such as sewage treatment facilities; culture, parks, recreation and heritage, and that takes care of things like arenas, parks, museums and art galleries; drainage and flood control, except storm sewers, and this would include things like floodways and the purchase of wetlands; structures, including signs and fences, and this would include things like requiring fences around swimming pools; parking, except on highways, and that means parking lots and parking garages; animals, including licensing pets, operating spaying clinics and regulating the keeping of exotic animals; and economic development services, including establishing industrial parks or promoting tourism.

Anyone who's listening to this debate on those particular areas of involvement of a municipality would say that they would expect that municipalities would have those powers. They would expect municipalities to be able to operate with flexibility to make sure that those things come into effect in the most efficient and accountable measure, because those things directly touch on people who live in municipalities and affect them every day. It's important for municipalities to have their public utilities operating, to be able to deal with their parks, to deal with their waste disposal, parking, animals—those things you hear about every day in a municipality.

Natural person powers would not give municipalities the authority to deliver services or get into businesses for which they do not otherwise have legislative authority. It is the intention of the government, in setting out these

natural person powers in areas of jurisdiction, that they should be interpreted broadly. This would give municipalities more flexibility to govern within these areas.

The government's intention is also that all existing municipal powers should be continued. The proposed new Municipal Act would provide, in addition to the natural person powers I've just mentioned, government powers—things like licensing, and regulating or prohibiting certain activities. Again, municipalities would be able to use these government powers only in order to act within the areas of jurisdiction authorized by this proposed act or in connection with duties assigned to them through other legislation.

The proposed Municipal Act would place some limits on these general powers. For example, municipal bylaws would not be permitted to conflict with provincial or federal statutes or regulations. That goes without saying. Bill 111 includes specific provisions to govern the acts of municipalities in certain areas, such as incorporating a corporation, making investments and borrowing or lending money. All municipal powers would also be subject to geographic restrictions. Municipalities would only be able to exercise their authority within their own geographic boundaries except where Bill 111 or other legislation authorizes them to do otherwise. They would be able to deliver services outside their boundaries under certain circumstances.

The general powers in the 10 areas of jurisdiction would be supplemented by specific powers. While the areas of jurisdiction relate to things that are primarily of local interest, there are other areas in which the provincial government also has a substantial interest. These include the natural environment, health, safety and nuisance. In these areas, municipal powers would be set out in detail in the proposed act, as they are in the current act. Provisions governing these powers would be streamlined.

A number of other specific powers would be set out in the proposed act. These include, for example, the power to require landowners to clear refuse and debris from their land, and powers with respect to the relationship between the local and county or regional levels of government in Ontario's two-tier county and regional systems. The proposed act would maintain the existing division of powers between upper- and lower-tier governments.

This is a brief outline of the framework of powers that would give municipalities the flexibility they need to deliver services efficiently and effectively.

Municipalities will have general powers—both natural person powers and government powers—to use when delivering services under the act, including the 10 spheres of jurisdiction set out in Bill 111. Also, they will have specific powers in areas in which the provincial government also has a significant interest. When balanced by the strong accountability framework set out in this act, these powers would help municipalities meet the challenges of governing in the 21st century. I think that's very important, because municipalities, the lowest level

of government in terms of the hierarchy, do affect the lives of the individuals who live in those municipalities on a day-to-day basis, and very significantly.

Then you also have municipalities and the areas around municipalities where individuals such as I live, in the city of Barrie, that have significant interests with those other areas. My riding also covers the town of Innisfil and the town of Bradford-West Gwillimbury, and certainly they have interests. The town of Bradford-West Gwillimbury is essentially a rural agricultural area, and to the same extent the town of Innisfil is also, and then the city of Barrie is essentially an urban area. To balance those interests off in the other communities in Simcoe county in terms of the rural nature and the agricultural nature, you need to have flexibility. You need to have those powers in place where the province has an interest and also where the municipalities have an interest in the fundamental issues that affect a community in terms of making it a good community to live in.

I say, get on with it. This is well-thought-out legislation.

1700

**Mr Joseph Cordiano (York South-Weston):** I'm very happy to enter this debate. What we need to deal with with respect to this is, first of all, to remember that this is the same government that through Bill 26 and other measures downloaded on to municipalities a whole host of new requirements and obligations, and did not provide municipalities with the necessary funding to meet their requirements.

Bill 111 is supposed to herald a new day of co-operation between the province and the municipalities. I say it falls far short of living up to that billing. This bill will not accomplish that goal. I don't blame municipal leaders across this province for having a great degree of skepticism when it comes to entrusting this government with any new-found co-operation. It simply brings to the fore the question about what this government's intentions really are. I'm going to go through some of the details to support that view.

We go back in time to when this government just decided on a whim to swap with municipalities—they say "swap," but in our view to download on to the municipalities—a huge number of obligations. We still believe it is fundamentally wrong for municipalities to carry the load when it comes to social programs such as social housing, for example. It was a huge mistake for this provincial government to download that obligation on to municipalities. Municipalities simply do not have the wherewithal to sustain social housing in our communities.

Under this act there are no new taxing powers for municipalities. They cannot raise additional revenues. That is not granted in this bill. So municipalities will continue to face enormous pressure to meet their obligations when it comes to social housing. It is estimated that repairs alone, with respect to the dilapidated housing stock we have in this province, will amount to something like \$11 billion. They simply will not have the ability to fund that requirement.



There are other services that have been downloaded on to the municipalities. Ambulance service, for example, has been downloaded on to municipalities.

In the city of Toronto they have enormous pressure to meet the demands that weigh heavily on a city the size of Toronto, which is a unique city in this country. We are home to many new people who come to Canada. We have approximately 100,000 new immigrants who come to this city, or the GTA in general, each and every year, and the burden for the municipality is growing.

This government does not acknowledge that fact in this new Municipal Act. When it talks about granting greater flexibility for municipalities to finance, there is no new ability for a municipality to issue tax-free municipal bonds, for example, to fund new infrastructure endeavours. That cannot be done by the municipalities. So again municipalities are limited. Sure, they can probably enter into some new contractual arrangements with the private sector, can enter into joint ventures with the private sector, but they cannot use tax-free municipal bonds to finance that. I think that is very limiting.

Again, I say there are no new powers for municipalities to raise revenues from new taxes. The municipalities are also limited in terms of establishing and creating new user fees. Isn't that ironic? This same provincial government is limiting municipalities from using user fees, but it imposed a huge number of user fees. There's a real double standard when it comes to dealing with municipalities.

Municipalities were treated like children up until this bill—that's the claim by this government. This bill may treat them like adolescents—maybe. It graduates them just a little, but it does not go far enough in treating them like adults. Municipalities want to have a greater degree of autonomy in making decisions that affect the citizens in municipalities right across this province, who are taxpayers, after all, and have to shoulder the burden of additional responsibilities that have been downloaded on them by this provincial government. The property tax base cannot sustain that. We have repeatedly told this government, and warned them, that in the future, municipalities will have greater difficulty in meeting those requirements simply by using the one revenue base they have, the property tax. That is not sufficient if you're going to give them these responsibilities.

Of course the government backtracked when it came to GO Transit. They've once again taken on the responsibility of GO Transit.

**Mr James J. Bradley (St Catharines):** Full retreat.

**Mr Cordiano:** It was a retreat. It was an acknowledgement that something as critical as GO Transit, which needs to be coordinated at a provincial level, must and can only be supported by the provincial government as well as the federal government. Of course the province is saying, "We need federal help." That is true, but this is a government that doesn't even give municipalities provincial help to deal with these problems. Having taken back GO, it is now the responsibility of the province. And what's the first thing they say? "We need federal assistance, and we need municipal assistance."

What we need is provincial leadership. We need leadership from the province. And I doubt very much that this government will see it that way. They will continue to suggest that the municipalities pay their fair share, that the federal government pay its fair share. Who knows what they'll do with federal money when they get it? They've decided to go ahead with a \$2.5-billion corporate tax cut. On the other hand, they complain that they're not receiving enough money from Ottawa for health care. Well, you can't have it both ways. Priorities have to be established.

Our priorities in this party are to ensure we have quality health care throughout the province and that we're educating our children properly. Those have to be the priorities, ahead of tax cuts for corporate citizens, for the corporate friends this government courts. It's simply misguided priorities that this government is following, particularly at this time when we are going through a slowing down of the economy.

The government should be investing in infrastructure right across this province. There should be provincial leadership on this front. We need additional infrastructure. These are key investments the government can make. By doing that, we have jobs being created, because the spinoff from the construction that results from infrastructure spending is tremendous. Yet this government sees fit to go ahead with a corporate tax cut, precisely at the wrong time.

Education should be a priority. We should be investing in education. It makes us far more competitive in the future to have in our economy a highly trained, highly educated workforce. This is not a government that has seen education as a spending priority, not on the post-secondary front and certainly not on the primary front.

1710

I would say to the government that when it comes to this Municipal Act, the first order of business should be to give municipalities greater authority. This government promised a memorandum of understanding to consult with municipalities before making policy changes, but that wasn't included in this bill. The government wants to pass this bill without the inclusion of that memorandum of understanding. That is an important part that's missing in this bill. The government should go further and acknowledge that municipalities are equal partners and have a very critical role to play in making decisions on behalf of the citizens of this province who are, after all, property taxpayers and pay those property taxes to municipalities. The municipalities should be granted powers that would allow them to raise new revenues to continue with the obligations they have been given. That is not the case in this bill, and it's a huge shortcoming.

Again, the government can't have it both ways. You have to set priorities. When it comes to municipalities, they cannot take on the burden of additional responsibilities and then not have the ability to fund those responsibilities properly. Therein lies the problem with Bill 111. It falls far short of what is required. I would say to the government that you have to go back to the drawing board.

These hearings that were going to be held I think are only over a four-day period. They're inadequate. There needs to be an opportunity for people to have a say. I'm not surprised that this government moves in the way that it does when it comes to allowing for public input. After all, they forced amalgamation on so many municipalities and forced downloading on municipalities, and so I shouldn't be surprised. I think this bill falls far short. Again, the government needs to go back to the drawing board.

**Mr Rosario Marchese (Trinity-Spadina):** It's good to have the opportunity to speak against this closure motion. As you heard, my colleague from Beaches-East York had a lot to say with respect to analyzing the bill. You noticed he needed a lot more time to debate all the aspects of this bill. We need more debate, not less. That's why we oppose any strangulation of debate, as you propose through this closure motion. There is a lot more to say on this bill. It is very thick. You notice, good Ontarians, that the member from Beaches-East York has a lot to say and is saying to you that we need more time for debate, and I hope to end with that comment.

I want to tell you my concerns, and I've got a couple. The most important thing that concerns me as a Torontonian, having been raised in this area for most of my life, is how Toronto gets treated. You understand, as the member from Beaches-East York mentioned, that every city and town in this province will be able to determine their own boundaries for their ward system, which seems logical and fair. We support that; not a problem. The only problem of inequity is that in Toronto we, the city, can't do that. I think it is not right. I believe it to be unfair that you would, for 454 communities, say, "You can determine your own boundaries, but in Toronto, you can't." There's no justice.

I'm sure the good citizens of Ontario understand that there is an inequity here and that they should not stand for it. If their community outside of Toronto were shut out in this way, they would be fighting it, as we are fighting it here. I was looking to the Conservative members from the Toronto area: members from Etobicoke Centre, Etobicoke-Lakeshore, Scarborough Centre, Scarborough East, Etobicoke North and Willowdale, all Conservative members from the Toronto area. Not one of them has stood up to speak, not from a written text but from their bellies, to say, "We're opposed to that, and we're going to make sure the minister corrects that." Not one of them has stood up to defend Toronto's inability to determine its own boundaries, its own ward system. Because, you understand, the City of Toronto Act overrides the current act that we're debating. Hamilton is included in that regard; Ottawa is included in that regard as well. They too cannot set their own wards.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Too many councillors.

**Mr Marchese:** It has nothing to do with whether there are too many or too few. That's a different matter, although you axed a whole lot of city councillors by a mere gesture of the hand, and you still wield that power

to be able to say to Toronto, "There are too many of you. We have decided that we're going to just chop a couple of bodies, because we really don't need them in Toronto." There are 2.3 million people governed by—how many?—44 city councillors, and 2.3 million people will not be able, through their representatives, to get a say as to how they set up their boundaries. It's dumb; it's wrong. I'm sure Mel Lastman is not going to like it. We haven't heard him speak to this issue yet, but I'm sure he will.

But I want to hear the Conservative members standing up in this chamber to defend the interests of their communities, and I haven't heard one member stand up and—first of all, you don't see them, and secondly, you don't hear from them. Where are they when you need them? Ontarians and Torontonians want to see their members stand up in this place to defend them. That, to me, is important, so I took a couple of minutes to speak about that, but there are a couple of other matters that concern me as well.

This bill gives the city of Toronto, the city of Ottawa, the city of Hamilton, any other city, no power to be able to prevent a developer friend of yours—and yours, government—from tearing down affordable rental buildings. They're given no power to prevent them from tearing them down. This is evidenced by so much of the tearing down of affordable rental housing. They tear it down and the city can't do anything. They take them to court, the developer wins and the poor city says, "We have no room for people." Rental accommodation is expensive, because all the developers are building are condominiums at the high end, and those people who are of modest means cannot find affordable rental housing that's decent. They can't find it. One single bedroom costs anywhere from \$900 to \$950 to \$1,000 to \$1,500 a month. They cannot find affordable accommodation in the city of Toronto. The vacancy rate in this city is 0.6, which means there is nothing to be found in the city of Toronto by anyone who's just earning a modest income. No power is given to the city of Toronto or any other city to prevent the demolition of affordable housing. That's a problem we need to address, because we've got a housing crisis and everyone in Ontario knows it except this government that's blinded by the grease that's given to them by those this government is helping.

Because, you see, this government gives a whole lot of money to those corporations and those high-income earners, and they love to give back to the Conservative members by way of political financing so they can run good, healthy campaigns. There is mutual benefit. This government helps the rich and they help them right back, and they do it well, Speaker. You know that. You both grease each other's wheels, at the expense of the Ontario taxpayer. Yes, you, who are so proud of giving so much back by way of a corporate tax cut, you, who say you've got no money, find \$2.5 billion of our money to give to the corporate sector. I'm just talking about that because cumulatively, you have given away so many billions of dollars to high-income earners in the corporate sector,



and you've given it away forever—not just as one-time kind of money; you've given it away forever. You'll never be able to recover it. As we're in the depth of the recession, you're now going to go back to your corporate buddies and say, "Please help us. We've got no money. We're going to need money." So all you can do as a government is whine about the fact that the federal government is not giving you enough money.

Speaker, it's pretty laughable because, sadly, you weren't here when your government was in the opposition right here where we stand.

1720

Mr Gary Carr, the Speaker of this assembly, used to rail against Bob Rae and the rest of us by saying, "Don't attack the federal government. This is your problem. You've got the limousine. You deal with it." I remember your boss, Mr Harris, saying the same thing to Bob Rae: "Stop whining." You understand, Speaker? I think you do. We were in the depth of a recession—in the depth of a recession. We had no money and the federal Conservative government and the federal Liberal government chopped the support to Ontario in ways that we have never seen. And here you had Harris and you had Gary Carr and you had Stockwell, the Minister of Labour, whining, crying about the fact that Bob Rae was not getting hold of the limousine and driving it. Instead, he was complaining about the federal government not giving them enough money.

And what do you have here? You have Mr Flaherty just crying like a little puppy and Mr Harris saying, "We won't be able to take care of our health care system because the federal government is just too mean to us." You've had the best economy in five years, with money rolling in, and yet you whine, day in and day out, that those poor federal Liberal people are not giving you the money. Well, they didn't give us the money in a recession. You've had more money than you've ever seen in the last five years, yet you never stop lamenting and crying about the fact that you don't have enough: "Woe is me. What's going to happen to our health care system?" What's going to happen is that they use the excuse that they're not getting enough money from the federal government to say, "What can you do if the hospital association says, 'We're going to have to charge user fees'? We've got no money from the federal Liberals, those bad guys. We're going to have to charge user fees. We're going to have to move in the direction of a two-tier system because we've got no money. That's what's so sad."

There is no power here, by the way, to help the cities with the download that you've shifted to them. You've downloaded housing to them. You've downloaded public health. You've downloaded ambulances. You had downloaded at one point GO Transit. The poor cities were broke. They have no money. They're not given any power to raise any revenues except to charge more user fees and fire people in order to deal with the fact that this government has not given them any help whatsoever.

They come here with their prepared texts, they read for 10 minutes, 20 minutes something that some min-

ister's official prepares and they don't feel anything about what they're reading. They come here saying, "Oh, how great these changes are." But as the member for Beaches-East York said, we need time. Ontarians need time to be able to, yes, let the Conservative members speak about what they like about this bill, but we need to hear from those others, from so many people who are concerned about the fact that the cities are broke and the cities don't have the resources to cope with the fact that this government has whacked them from one end of the room to the next. We need time to debate, Ontarians, and you should be calling for that and you should be urging your members to do that.

Speaker, my time is up.

**The Acting Speaker:** Further debate? The Chair recognizes the member for St Catharines.

**Mr Bradley:** Thank you, Mr Speaker, for the opportunity to speak. However, I do not like speaking on time allocation bills.

A time allocation bill, as people at home should know, is a bill which chokes off legitimate debate on a piece of legislation that the government has before us. This is something that used to be used only on the odd occasion, only in extreme circumstances, but this government consistently and almost normally now uses the choking off of debate, the framing of the debate by shortening it and confining it. That's lamentable. They have also changed the rules of this Legislature. I recognize that if you or I were to chat about this with people at home, their eyes might glaze over, because it's not of particular importance in a person's everyday life. But the rules of this House have been changed in such a way as to erode the individual influence and powers of elected members of this Legislature in favour of the unelected advisers to the Premier and the ministers, and perhaps some senior ministers who might be on the policies and priorities board of the cabinet.

This motion clears the decks for the government to proceed with this bill and proceed with its plan, which is to get out of session by December 13. A lot of people aren't aware that the House does not sit much of the year. In other words, the Ontario Legislature is not in session in January, February and March. Sometimes it comes back in March. I've seen it come back as late as May of the year. In the fall I've seen it come back in November, as opposed to the so-called normal parliamentary calendar of the third week of September. What that does is reduce the accountability that this government has. While it preaches accountability in the bill that is the subject of this time allocation motion, this government does not want to face the same accountability itself.

The bill does not deal specifically with the downloading of onerous and new responsibilities to municipalities. I was talking to a woman just a couple of days ago who was complaining about her municipal taxes, and indeed they were substantial. I had to explain to her that in recent years the Harris government, while it was busy giving away tax cuts at its level of government, was placing on municipalities onerous financial responsi-

bilities. I remember, when the transaction or the negotiations took place between the regional municipality of Niagara and the provincial government, there was a net new requirement of funds of some \$18 million. In other words, that's a net new requirement for the regional municipality of Niagara. How is that reflected? It's reflected in terms of user fees, but most prominently in terms of an increase in municipal taxes, and then the local government gets the blame.

Then we have people who trot out the old saw, "If only we had fewer politicians or if we had one big region, it would save some money." That theory has been discredited both by the C.D. Howe Institute, which is a pretty right-wing or small-c conservative organization, and by Dr Andrew Sancton, the author of *Merger Mania*, who has pointed out in his thorough study and his thorough research on this subject that in fact there are no savings. Often the one big region brings higher costs and you lose that local accountability.

But here we are in the midst of this particular motion before the House, the time allocation motion, on the same day as the provincial Treasurer, Jim Flaherty, on behalf of the government, is engaging in a so-called update of the financial situation in Ontario. Indeed, it has changed remarkably. I'm one who wants to be consistent with this government. I gave the government no credit for the financial boom in which we found ourselves over the past five or five and a half years. I contended that was because of the booming US economy and the overflow into our economy. So today I do not attribute the blame for the downturn in the economy in Ontario to the Ontario government, because I said they had nothing to do with the prosperity, nor did their policies. It was a remarkable booming economy as a result of the American policies under Bill Clinton as President and the United States Congress.

What I am critical of is the provincial government's reaction to this downturn. Instead of understanding that we must invest in education, health care, the environment and other areas, this government is going to go through a slashing process—slashing of budgets. Why is that? That's because the Ontario government of Premier Mike Harris and all the ministers has decided that it's going to give a \$2.2-billion tax gift to the corporations of this province, a corporate tax cut at a time when we will need those revenues for such things as health care and education. You will see the Premier in what we call a media scrum, a media interview, whining, as the member for Trinity-Spadina mentioned, for federal funding, when he's got all the funding he needs for the health care and education system and other responsibilities. If he's got \$2.2 billion to give away to the corporations, then he's made a choice to put the money there instead of into health care.

1730

I can understand the reluctance of the federal government to do anything other than provide direct funding for the purposes of such things as health care, because we've found that what happens is this government tends

to what I would refer to as squirrel away some money that comes from the federal issue. As we talk about this time allocation motion, which allows us the flexibility to speak on a number of subjects, I want to share with members of the House and the public an article written by Carol Goar, editorial page editor of the *Toronto Star*, on July 21, 2001: "The Games Government Play." This has nothing to do with ideology, I say. Listen carefully to the facts that are contained. Its says as follows:

"Suppose your parents wanted to help pay for your children's education. Knowing that you'd set up registered education savings plans, they offered to send you regular contributions to be deposited in each of their grandchildren's accounts.

"You accepted their money eagerly and put it in the kids' RESPs. But you quietly stopped contributing yourself.

"Your kids would be no better off than before. Your parents would be out of pocket. But you would save a bundle.

"That is exactly how the government of Ontario operates.

"It takes the money that Ottawa sends to Queen's Park for health care, post-secondary education, early childhood development and a variety of other shared-cost programs and uses it as intended (most of the time). But it cuts its own spending in that area.

"This is not illegal. It is not unconstitutional. It just isn't right.

"Let's look at a few examples:

"Four years ago, Prime Minister Jean Chrétien announced that Ottawa would set up a millennium scholarship fund to help 100,000 college and university students pay for their studies. The candidates would be chosen on the basis of financial need and merit.

"Last year, 35,000 Ontario students were awarded the \$3,000-a-year scholarships. But they barely had time to celebrate before the money was snatched away. The province cut recipients' financial assistance by an equivalent \$3,000. (Premier Harris later restored \$500 of their provincial aid.)" But \$2,500 was the amount the government took, put in its pocket to pay for tax cuts in this province and left the students holding the bag.

"Net result: The federal government spends \$105 million a year to make post-secondary education more affordable in Ontario. Students get \$17.5 million. The province pockets \$87.5 million.

Second, "Last fall, Canada's first ministers signed an early childhood development agreement. Ottawa pledged to hand over \$45 million a year to the provinces to improve child care and promote preschool learning.

"Ontario received its first instalment, worth \$15 million, this spring. It added the money to its Early Years challenge fund, a \$30-million pot of cash designed to help communities to set up innovative preschool programs. Then it withdrew \$15 million of provincial money.

"Net benefit to kids: Zero.



"Two years ago, Ottawa and the provinces launched the national child benefit, the first new social program in decades.

"Ottawa agreed to send a monthly payment to low-income parents across the country. For the working poor, this was new money. For welfare recipients, it merely replaced provincial social assistance.

"Under this new agreement, Ontario saved \$150 million"—for its tax cuts, I might add. "It was supposed to invest this money in new programs to reduce child poverty.

"Net improvement: Uncertain....

"Nine months ago, Ottawa and the provinces concluded a five-year health care accord, which increased federal funding by \$4.2 billion annually.

"Ontario's first instalment, worth \$1.2 billion, was delivered this year. Shortly afterward, provincial finance minister Jim Flaherty announced that health spending in Ontario would go up by \$900 million. This week, health minister Tony Clement announced a further \$200 million. That adds up to a \$1.1-billion increase.

"Net impact: Health spending will get a boost this year, thanks to Ottawa. Queen's Park is adding no money of its own and keeping \$100 million of the federal cash."

What it's all about, when you scrape it all away, is that this provincial government wants federal money so it can pay for its tax cuts, because the tax cuts are costing the revenues of this province over \$2.5 billion. That's the truth.

**The Acting Speaker:** Further debate? The Chair recognizes the member for Scarborough Centre.

**Mr Steve Gilchrist (Scarborough East):** Scarborough East, actually.

**The Acting Speaker:** I'm sorry. Scarborough East.

**Mr Gilchrist:** The fine people of Scarborough East would not take exception to that, but would of course like to have recognized the fact that it is the vibrant heart of the city of Toronto and the greenest part of the city of Toronto.

The issue before us today, though, is something that is just a tad off what Mr Bradley was just talking about. We are actually here debating the updating of a statute that has not been fundamentally changed since 1849. Eighteen years before Confederation, Baldwin brought in the Municipal Act, and we have been tinkering, and other governments have been tinkering, with that for over 150 years. The result is a tome that is so thick, so unwieldy, so confusing that it is small wonder many municipal politicians, like Mr Prue, have decided to pack it in and come here, because how could anyone come to grips with the complexity of understanding the Municipal Act?

That's something we're here to solve. Having gone out and consulted to an unprecedented degree with municipal leaders across the province of Ontario and other stakeholders, we've been able to come up with an act that is far more responsive to today's circumstances than the existing Municipal Act.

I'd just like to share with the House a few steps we followed in that consultation process. We committed to

updating this act back in 1995. In the fall of that year, an advisory group was chaired by the then parliamentary assistant to the Minister of Municipal Affairs and Housing, Ernie Hardeman. This group was comprised of a broad range of municipal stakeholders.

In March 1997, the province released a discussion paper on the proposed new Municipal Act. The response was generally positive, and stakeholders told us they wanted to see the entire draft act before it came to this Legislature. In fact the government did respond to that request by releasing a draft Municipal Act in February 1998.

The consultation process on that draft act involved two phases. First, there was a three-month public consultation phase. As part of that process, the draft legislation was sent out to every single municipality in Ontario, 130 First Nations and more than 70 stakeholder organizations. These organizations included municipal associations and professional and business groups across the province. The full draft act was also posted on the Ministry of Municipal Affairs and Housing Web site to enable the broadest possible public access.

We then moved into a stage where we organized five expert panels to review selected portions of the draft act. Panel membership included chief administrative officers of a broad range of municipalities, clerks and treasurers, engineers and solicitors. These panels discussed technical implementation issues relating to practices and procedures, waste management, roads, transportation and public utilities. In total, the government received approximately 320 submissions from municipalities and major client associations such as the Association of Municipalities of Ontario and the Association of Municipal Clerks and Treasurers of Ontario.

The second phase of the consultation process included meetings with those stakeholder groups. Again, Mr Hardeman held 13 meetings with more than 20 stakeholder groups representing the municipal sector and the business community. Business organizations also attended the meetings, including the Urban Development Institute, the Metro Toronto Board of Trade, the Ontario Chamber of Commerce, the Ontario Home Builders' Association and the Canadian Federation of Independent Business—by far the largest group representing small business in this province and in this country.

The meetings with the business community also included the coalition of industries concerned with the impact of the new Municipal Act, as well as other business organizations. During this consultation phase, concerns were raised by both municipalities and the business community. Generally, the municipal sector believed the proposed act was too prescriptive and limiting, while the business sector had concerns that ran in exactly the opposite direction. As a result, the government—reasonably, I think—delayed introducing a new act until we could work out developing a new approach that would allay the concerns that had been brought to the table by both sides.

In March 2000, the former parliamentary assistant to the Minister of Municipal Affairs and Housing, Brian

Coburn, met informally with municipal and business sector representatives from all across Ontario.

1740

In August 2000, the minister committed to a last round of consultations on a new Municipal Act designed to resolve the key outstanding issues. During this round of consultation, the minister and ministry staff met with dozens and dozens of municipal and business representatives, and when Chris Hodgson became the Minister of Municipal Affairs and Housing, he guided the process through the final stages of consultation and negotiation.

As you can see, we have spared no effort, we have spared no expense, in making sure that this topic was thoroughly debated among all the stakeholders who will be affected by this bill's implementation.

We've had the technical working groups come back to us and give their advice on some of the key issues, such as licensing, user fees, corporations, debt and investment. These multi-stakeholder groups giving us this advice developed some important policies and principles and will continue to work to help develop the regulations that will be required to implement these portions of the proposed new act.

So finally, in August of this year, Minister Hodgson announced the legislation would indeed be introduced in the fall session. The minister released the New Directions paper that set out in detail what the new act will contain. On October 18, we honoured that commitment by tabling the new Municipal Act that we are dealing with here today.

We think that this act creates a far more workable balance between the needs of a municipality and the needs of the citizens the municipality is supposed to serve. It has been an extraordinarily complex undertaking, but at the same time it hopefully will resolve countless problems that have cropped up over the years, the decades, the century and a half, in terms of that relationship.

We were struck, for example, on the topic of licensing, by the very different positions taken by municipalities, large and small, all across Ontario. When you recognize that there are only a handful, less than a dozen, municipalities that even license taxicabs, you have to ask why the other 435 municipalities do not feel that this is an issue they should involve themselves in.

At the same time we have some pretty odious practices, where a provincial licensing body will say that an electrician, for example, is entitled to practise his or her craft; they have the designation master electrician. Oh, but then just because they live in Mississauga, if you want to do any work in Toronto, somebody at Toronto city hall gets to pass judgment, for a fee, on whether or not you should have that licence to do that work, perhaps only one job.

I am sure I represent the views of many of my colleagues, that this is antithetical to good business practices, it is antithetical to anyone who believes in competition as being the cornerstone of a successful economy. It is offensive to think that anybody at Toronto

city hall has the expertise—not to single out Toronto, of course—to judge whether or not that electrician, or any other trade you care to name, should be able or denied the chance to practise here in Toronto. But they do that.

I offer the suggestion that perhaps it is a cash cow in the minds of some municipalities. That's why this bill that we're talking about here today outlines in great detail that in the future any municipality that's inclined to look at licensing will have to do it on the basis of demonstrating the actual costs and doing a cost-benefit analysis, and the fee that is assessed can only represent the true costs that that study reveals.

At the other end of the spectrum, we have a great many municipalities that have even eliminated their development charges, that have streamlined the approvals process. So I think the Municipal Act we're bringing forward today has in it the flexibility not only to allow the municipalities to continue to demonstrate those best practices, but perhaps to encourage those that have been less than enthusiastic about eliminating barriers, eliminating user fees, eliminating licence fees, to follow the example not of this chamber—although that's certainly what we practise here—but of the hundreds of their municipal colleagues who undertake a similar direction when it comes to dealing with their businesses and their individuals.

So the act will give far greater flexibility and, perhaps most importantly, it's going to dramatically improve the abilities for municipalities to respond to unique circumstances, to respond to changing times, to respond to new technologies without having to come back to this Legislature and introduce a private bill. The time that is taken up, the red tape that is involved, is excessive and unnecessary today. This bill will deal with that.

Wearing my Red Tape Commission hat, let me tell you that we applaud, and that all my colleagues on the Red Tape Commission and my predecessor, Bob Wood, sitting here beside me, see as a major accomplishment in the Municipal Act the elimination of that red tape and, quite frankly, the very strong indication we are giving to municipalities that we trust them. We trust them to be the masters of their own destiny. We respect the fact that municipalities have a broad range of responsibilities that have been assigned to them by the province by various statutes. In the past, it has been too easy to use the complexity of the Municipal Act, to use historical precedents, to simply pass the buck back here to Queen's Park.

We've heard the very loud appeal by a broad range of municipal politicians all across this province that they want the respect, the trust, the authority, the ability to have the final say on the shape of their relationship with their businesses and the individuals who live in their community. This bill goes a long way to giving them that power. It's a double-edged sword, of course, because with that authority comes the responsibility, and they will be judged on how they implement these new powers and new freedoms. We obviously believe they are going to use those powers responsibly or we would not be offering them to them today.



They are going to be held accountable in four ways.

They are going to be accountable for the way their councils do business. The Municipal Act requires all meetings to be open to the public, except under very limited circumstances.

They are going to be required to have procedural bylaws in place to set out how council operates, the process by which the public can express their views to council—no more closed shops, no more decisions behind closed doors.

The proposed new Municipal Act would require municipalities to pass bylaws on their procurement procedures within two years. We've had some pretty offensive undertakings here in the city of Toronto. A very strong bias, for example, has been demonstrated to non-unionized businesses that they are not welcome in the city, that the city will take their taxes but won't take their services, won't take their goods. That's not right. The procurement practices are obviously going to be something that every citizen in each community will want to look at to ensure that there is fairness, equity and open access to everyone regardless of union affiliation.

Finally, the proposed new Municipal Act would require municipalities to pass bylaws with respect to the hiring of employees, including policies on the hiring of relatives of members of councils and local boards and relatives of current municipal employees. Not to belabour that point, obviously it's applying a similar standard to municipalities as the rules that apply to us here, and we think they are up to the task.

I'm certainly going to support the resolution. I want to see this bill move forward. I want to see it become law. I trust the municipalities to do the right thing.

**The Acting Speaker:** Earlier this afternoon Mr Hodgson moved government notice of motion number 72. Is it the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a 10-minute bell.

*The division bells rang from 1749 to 1759.*

**The Acting Speaker:** I'd like to draw the members' attention to the two clocks, one on either side, that tell

you when you're supposed to be in your seats, ready for the vote.

All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Harris, Michael D.	O'Toole, John
Baird, John R.	Hastings, John	Ouellette, Jerry J.
Barrett, Toby	Hodgson, Chris	Runciman, Robert W.
Beaubien, Marcel	Hudak, Tim	Sampson, Rob
Clark, Brad	Jackson, Cameron	Spina, Joseph
Clement, Tony	Johns, Helen	Sterling, Norman W.
Coburn, Brian	Kells, Morley	Stewart, R. Gary
Cunningham, Dianne	Klees, Frank	Tascona, Joseph N.
DeFaria, Carl	Marland, Margaret	Tilson, David
Dunlop, Garfield	Martiniuk, Gerry	Tsubouchi, David H.
Ecker, Janet	Maves, Bart	Turnbull, David
Galt, Doug	Miller, Norm	Wettlaufer, Wayne
Gilchrist, Steve	Munro, Julia	Wilson, Jim
Gill, Raminder	Murdoch, Bill	Witmer, Elizabeth
Guzzo, Gary J.	Mushinski, Marilyn	Wood, Bob
Hardeman, Ernie	Newman, Dan	Young, David

**The Acting Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bartolucci, Rick	Dombrowsky, Leona	McMeekin, Ted
Bountrogianni, Marie	Duncan, Dwight	Parsons, Ernie
Boyer, Claudette	Gravelle, Michael	Patten, Richard
Bradley, James J.	Hampton, Howard	Peters, Steve
Bryant, Michael	Hoy, Pat	Phillips, Gerry
Christopherson, David	Kormos, Peter	Prue, Michael
Churley, Marilyn	Lalonde, Jean-Marc	Pupatello, Sandra
Colle, Mike	Levac, David	Ramsay, David
Conway, Sean G.	Marchese, Rosario	Ruprecht, Tony
Crozier, Bruce	Martel, Shelley	Sergio, Mario
Di Cocco, Caroline	Martin, Tony	Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 48; the nays are 33.

**The Acting Speaker:** I declare the motion carried.

It being three minutes and 31 seconds after 6, this House stands adjourned until 6:45.

*The House adjourned at 1803.*

*Evening meeting reported in volume B.*

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Jean-Marc Lalonde, Margaret Marland, Julia Munro,  
Jerry J. Ouellette, Joseph N. Tascona  
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Julia Munro, Richard Patten  
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Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
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Sources de carburants de remplacement**

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Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
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of Ontario**

Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Tuesday 6 November 2001**

**Mardi 6 novembre 2001**



**Speaker  
Honourable Gary Carr**

**Président  
L'honorable Gary Carr**

**Clerk  
Claude L. DesRosiers**

**Greffier  
Claude L. DesRosiers**



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 6 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 6 novembre 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### OAK RIDGES MORaine CONSERVATION ACT, 2001 LOI DE 2001 SUR LA CONSERVATION DE LA MORaine D'OAK RIDGES

Resuming the debate adjourned on November 5, 2001, on the motion for second reading of Bill 122, An Act to conserve the Oak Ridges Moraine by providing of the Oak Ridges Moraine Conservation Plan / Projet de loi 122, Loi visant à conserver la moraine d'Oak Ridges en prévoyant l'établissement du Plan de conservation de la moraine d'Oak Ridges.

**The Acting Speaker (Mr Bert Johnson):** The member for Toronto Danforth had finished her debate and we were in the mode to go into questions and comments.

**Mr Michael Gravelle (Thunder Bay-Superior North):** On a point of order, Mr Speaker: I don't believe that we have a quorum.

**The Acting Speaker:** I assume you want me to check and see?

*Interjections.*

**Clerk at the Table (Mr Todd Decker):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Acting Speaker:** Thank you. Questions and comments? The member for Toronto-Danforth has two minutes to respond.

**Ms Marilyn Churley (Toronto-Danforth):** I'm really disappointed. I gave a speech the other night for an hour and I wanted to hear what members thought of that speech. But let me guess what some might say.

I pointed out in my speech last night my concerns about this bill which I did not have the opportunity, in my few minutes in response to the minister's statement, to give because I was also talking in response to the minister for women's issues.

There was an article today by Lawrence Solomon, the executive director of the Urban Renaissance Institute. He pointed out some of the very flaws in the bill that I talked about. I just want to make it clear to Lawrence Solomon that I support his contention in here, and I made that clear in my comments last night, and that is, moving the de-

velopment to other environmentally sensitive land, leap-frogging over the Oak Ridges moraine, there's going to be another big battle on the minister's hands. I'm sure he can see it coming.

What I suggested last night—and I think Mr Solomon would agree with me—was that the minister might want to look at brownfield development in downtown cities. For instance, Ataritari has been sitting there in downtown Toronto, hasn't been developed. The government has brought in a new law on brownfields, not adequate but, nonetheless, there might be an opportunity to do legitimate land swaps, only the legitimate ones that the Supreme Court of Canada said need to be funded. We don't want to see sweetheart backroom deals with developers, good friends of the government, to get compensation they don't deserve. They were speculating. But there are other ways to do this. Bring back the green planning act. So the things that Mr Solomon is talking about, the things that I expressed concern about—if you have a proper planning act, then we won't have these kinds of problems.

**The Acting Speaker:** Further debate?

1850

**Mr Steve Peters (Elgin-Middlesex-London):** I will be sharing my time this evening with the members for Eglinton-Lawrence, Thunder Bay-Superior North and Sudbury.

I think this is certainly one of the most important—

**The Acting Speaker:** Your leadoff has been deferred. I have to know if this is your caucus leadoff or not.

**Mr Peters:** This will be our leadoff. The individual who is going to be speaking to this most important piece of legislation has just arrived in the Legislature this evening.

**The Acting Speaker:** The Chair recognizes the member for Eglinton-Lawrence.

**Mr Mike Colle (Eglinton-Lawrence):** I appreciate this opportunity to speak to Bill 122. I'm going to take time to try to put this bill in a bit of historical perspective, as well as in an environmental perspective and a planning perspective. I hope I can be of help in terms of trying to perhaps put forth some suggestions, some ideas that might fulfill some of the dreams of a lot of people who've been working for years in communities across southern Ontario, really, to protect the area known as the Oak Ridges moraine, which stretches from the plains of Rice Lake all the way to the beautiful Caledon highlands just this side of Orangeville.

This is part of a really underrated, in some cases, and sometimes little appreciated part of the province which is



at the doorstep of about six million people. In this part of Ontario, you can almost do anything—if you want to grow apples and be an apple farmer, if you want to ride horses, if you want to live in very moderately sized communities that are like small-town Ontario, little places like King City, which is small yet vibrant and historical. You can be in Uxbridge, on the other end, near the Ganaraska forest. So there's everything. There are brown trout; there are five-lined skinks. The skink is Ontario's last lizard. It's almost on the verge of extinction. It lives up there on the moraine. There are blue heron. Again, if you're a fisherman, or a fisher person, whatever you're supposed to say these days, if you're a nature lover, if you're a hiker, a birdwatcher or you're a person who basically wants to live in a quiet community, you can live on the moraine in compatible surroundings with wonderful wildlife, with trees of every species, with wildflowers. Everything is there on the Oak Ridges moraine.

As you know, the Oak Ridges moraine is really the source of water for over 30 to 40 rivers and streams, everything from the Don River, the Humber River, the Rouge, the Holland River to Duffins Creek, Carruthers Creek. There are so many wonderful creeks and rivers that flow from the moraine because it is basically leftover residue from the last ice age which created this gravel and sand, which acts like a natural filter and essentially provides aquifers for the water sources, for people's wells as well as rivers.

As you know, a few years ago in this House, we started to ask questions as members of the Liberal opposition. We asked questions to this government repeatedly. There were six or seven ministers. We asked them again, "Isn't it the duty of the provincial government to protect this valuable piece of natural geography, almost a natural well, from unbridled development?" Repeatedly, over and over again in this House, to minister after minister, whether it was Minister Clement or the Minister of the Environment, Mr Newman, whoever was here, we'd always ask, "Isn't it your job to protect the moraine?" Repeatedly, we got the same answer: "It is not the job of the provincial government to protect the Oak Ridges moraine." They said that in this House.

They said it was the job of the local municipalities. They said there was no need for stronger legislation. They said that those of us in opposition who asked for protection were basically not to be taken seriously. They said that the thousands of people throughout the moraine who were asking for protection—the people in Goodwood, in King City, in Richmond Hill were told, "Let your local council take care of it." Repeatedly, local MPPs on the moraine, who are Tories for the most part—it's not to say they were not doing their job, but they basically weren't allowed by the Harris government and the cabinet to do anything about their natural environment up there.

So I introduced a couple of private member's bills, trying to make this government aware that there was something magnificent up there that should be protected.

We had those bills before this House on two occasions, both voted down unanimously by the government, which, as you know, in the last dying months has all of a sudden discovered the moraine, when they wouldn't even say the word "moraine" in this House. They were afraid to talk about it because they basically were in favour of unbridled development.

This government systematically, since 1995, has done everything to promote what we call suburban sprawl. In other words, they didn't care about preserving farmland, which we're losing by the acre on a daily basis. They did nothing to preserve the aquifers. This government changed the Planning Act. In 1996, they gutted the Planning Act and made it a free-for-all so developers could basically do anything on the moraine. This government sat back while the moraine was being paved over.

I remember going to meetings in Aurora, meetings in Caledon, meetings in the city of Toronto. We had a number of meetings here in Toronto to get people in Toronto to join the people in King City, the people in Uxbridge, the people in Markham, to come together in a coalition to make people aware of the fact that we were losing this precious resource, the Oak Ridges moraine.

At first, when we brought this to the attention of this government, we had comments like those from Minister Clement, who had many hats during this period when this government was denying there was a moraine issue. Minister Clement was Minister of the Environment and Minister of Municipal Affairs at the time, a key minister in this government. When asked a question about protecting the moraine, here's what the Tory government said then: "We have something in place that is workable. If applied properly, it can provide a balance," Clement says. He has rejected calls for a freeze on the moraine development until the province can come up with a development policy."

In other words, they were saying that these old guidelines of 1991 were fine, that it was premature to ask for any kind of development freeze and there was no need whatsoever to do this. In fact, they said, "Development freezes would be something that only other governments would do. We as Conservatives would never freeze development. That's anti-free market." It wasn't necessary. As we saw three or four months ago, this government stood up in this House and said they were going to freeze development on the moraine, after six years of saying it was a stupid idea. They still haven't come to explain why this reversal took place, but I'll speak about that a little later, why all of a sudden now they are starting to say that we are right.

What's really difficult to accept is that this government for years ridiculed and laughed at local environmentalists, local town councillors who said there should be protection on the moraine. They said, "Don't pay attention to those people who want moraine protection. They don't know what they're talking about." Now that this government is introducing legislation to protect the moraine, isn't it odd that these same people who were saying, "Don't pay attention," all of a sudden are saying,

"Pay attention to us now," because they are government and they know what they are doing. But for six years they denied any opportunity for people to be heard on this issue and refused to accept good, solid advice.

1900

In fact, it was ironic how bad things were at one time. Minister Clement sent a letter to Roger Anderson, the regional chair of Durham region, explaining to him that he could circumvent the environmental protection laws in putting a sewer in to feed the Gan Eden development. People in Uxbridge were outraged. Here was the Minister of the Environment and the Minister of Municipal Affairs basically counselling Durham regional council on how to circumvent environmental protection laws while everybody in Uxbridge was totally against the development of the Oak Ridges moraine in Uxbridge and the Gan Eden development. That was the government then, basically coercing and advising developers over the heads of local councils; the minister himself writing letters, circumventing the process the municipality had to protect the moraine. That's how bad it was.

Here is Minister Clement again. This was in the *Globe and Mail*, November 25, 1999: "There isn't going to be a freeze," environment minister Tony Clement told the *Globe* yesterday. "That's just a quick fix. That's not going to get you anywhere, because we haven't solved the underlying public policy issues." So certainly they didn't support a freeze. They supported very little. They left the moraine out to dry for six years while it was being bulldozed by the development industry.

What was the province saying? Here's another minister of this government, Mr Newman, Minister of the Environment. It says, "Mr Newman had no comment yesterday, but last Friday he said, 'The government's position is clear.'"

"There are local planning decisions that are left to the municipalities and the regions and we go from there," Mr Newman said. This was the position of this government, which continually blocked attempts by citizens' groups and local councils to protect the moraine, saying that they had no role, that it was wrong, that it shouldn't be done.

Now, all of a sudden, with this government's popularity in the polls plummeting, they've had a complete reversal. We know why they've had this reversal, because the people in Richmond Hill, Newmarket and Toronto were sick and tired of the pro-development, laissez-faire attitude of this government. They were in bed with the development industry and refused to listen to ordinary people. But ordinary people kept on meeting, ordinary people kept on e-mailing, they kept on writing. They did not get intimidated by this government's ministers, who were telling them, "Be quiet. You don't have to change anything." Time and time again, local residents were basically told to be quiet.

Here is another. The former disgraced Minister of Municipal Affairs, Steve Gilchrist, said, "The municipalities have the power. They have to use every tool at their disposal." Well, we know the municipalities had no power. The moraine entails over 30 municipal govern-

ments and regions. How can the little communities of Caledon or King City take on a planning issue that crossed 32 regions and boundaries of municipalities and regional governments? They couldn't. The disgraced former minister is wrong. The municipalities did not have the tools.

That's why this government has now had to totally change its position and admit that we were right. The local citizens, the grass roots, the opposition who asked for provincial intervention were right. They still have not admitted that they were wrong and we were right for the last six years.

The government of the day has put forward a freeze and now they've come forward with this legislation. I'm going to speak to some parts of this legislation that are most concerning. We notice, ironically, that a lot of the wording in Bill 122 is actually extracted almost word for word from my proposed private member's bill, which this government defeated on a couple of occasions. So it's good to see they've at least plagiarized some of our ideas, but we think this bill could be made stronger. We think this bill could be made better and could be more progressive in its attempt to protect the integrity of the moraine. They didn't listen to us for six years. I hope they start listening to us now, because if they had started listening to us six years ago on stopping sprawl and protecting the environmental integrity of this precious area, we wouldn't have had thousands and thousands of acres paved by this government.

So when we make these recommendations, I just want to put it in perspective that a lot of these recommendations are made by people—not only by myself—who I have met at public meetings that I have held myself or local residents have held in dozens of communities across the moraine. I think the people know what they're talking about, and that's why I think their suggestions on how to improve this bill should be listened to.

Primarily, one of the things that is most concerning about this Bill 122 that's supposed to protect the moraine is that this government now has put together a piece of legislation that in its skeletal outline is able to perhaps protect the moraine, but it needs more than a skeletal outline. It needs some muscle, it needs some real power added to the skeleton here to make it a protective piece of legislation that will endure in time. That's why we're going to make a series of recommendations that I think will be most helpful.

Let me state first of all that one of the things that is most concerning to groups among the six million people who live on the moraine is that, as part of protecting the moraine, the minister has announced a series of land swaps to placate the developers who own lands in the Richmond Hill area. We certainly believe the developers should not be stripped of their land rights, but we also believe the developers should not be rewarded beyond what their risk was or beyond what land value they already hold.

In other words, they have these acres in the corridor in Richmond Hill. The minister has said that he is going to



give them acreage to the east, in what we call the Seaton lands or Pickering lands, in return for the fact that they're going to give up those lands for development in the Richmond Hill corridor. But in some ways it's like someone goes to the casino and plays the roulette wheel or—I don't know what they do there—the slot machines, and then they lose money at the slot machines, and then we, the taxpayers, have to reward the gambler who played the slot machines or the roulette wheel. That's what is said right here in this deal that the government is offering these developers. They're saying, "You bought this farmland at \$5,000 an acre. Now we're going to give you government land in Pickering at \$200,000 or \$300,000 an acre." I don't think any developer should be rewarded at that rate.

That's why we in the opposition are saying, like a lot of people are saying right across the moraine, that the development swap, the land swap, should have been in this legislation. In other words, the rules, the principles, the parameters of maybe the largest land swap, which could be worth up to \$1 billion, should be in the open. It shouldn't be behind closed doors. This land swap deal, again, worth up to \$1 billion of taxpayers' land, is being done behind closed doors. We have no idea of what the land swap details are, or the parameters or the rules. That should have been in the legislation, so that we would know that everybody was playing by the same rules.

1910

What worries me is that this government has a history, through the Ontario Realty Corp, of giving away a lot of taxpayers' land at below-market price. We saw it right around the corner here, where they gave this land to Addison on Bay, through the Ontario Realty Corp—I think it was the same Minister of Municipal Affairs—basically for nothing. He's now in charge of this land swap worth \$1 billion, that's going to give these developers land in Pickering, in a very sensitive area of the province too, which is on the headwaters of Duffins Creek, Carruthers Creek. He's going to give acreage there to these developers. We don't know at what price; we don't know how much. We've heard rumours that the developers are very happy, and that worries me. Some of the developers are supposedly getting three acres in Pickering for every one acre they gave up in Richmond Hill. That is not acceptable, and that's why one of the amendments we'll be proposing is that the land swap arrangement that is being done behind closed doors, in order to make the process transparent, should be a public process with public rules.

**Mr Rosario Marchese (Trinity-Spadina):** Bring it out in the open.

**Mr Colle:** Yes. Don't keep it in the dark, behind closed doors. It should have been part of the legislation. I really have to ask the minister why the land swap, maybe the largest in Ontario's history, is not in the legislation. It should be. At least the rules of the land swap should be in the legislation. It is a glaring omission. It is nowhere to be found in this legislation.

In fact today, Lawrence Solomon, who I think is a former prof at U of T, writes in the *Globe and Mail*, and

the headline says, "Ontario Land Swap Nothing But a Morass for Taxpayers ... Deal Merely Exchanges One Environmental Nightmare for Another." He's very concerned that this government is to undertake a land swap of environmentally sensitive land in Seaton at a greater price to the taxpayer than we should be paying. That's why Lawrence Solomon is saying in his article today in the *Globe and Mail*: "And yes, sprawl is a major problem around Toronto. Government policies that have promoted a haphazard proliferation of settlements have spurred wasteful energy use, unneeded highways and the conversion of high-value, greater Toronto area farmland into mostly low-value tract housing." He says, "The cost to Ontario taxpayers of this rescue for the developers, coupled with a public park and other initiatives driven by the government's need to save face, could top \$250 million."

I would think this could be a heck of a lot more. That is just one small part because, strangely enough, one interesting part of this deal—there's land known as Gan Eden in Uxbridge that was bought on the eve of the freeze, when basically everybody knew there was going to be a freeze in Gan Eden and Uxbridge. They knew that the land would probably never be developed. This developer went and bought the land. So we have heard that this acreage in Uxbridge now is going to be part of the land swap. What a bonanza. Here we had land that wasn't going to be developed. He buys, and now he's going to be rewarded for buying farmland. Will he be rewarded at the price of acreage per farmland value, or will it be for \$200,000 an acre? These are parts of the deal that are not in the legislation. That is a gaping omission in Bill 122 and it is one of the things we think should be in it. This could be a great piece of legislation, but it won't be, with this very, very suspect land swap that is not open to public scrutiny. We're very concerned about that.

The other thing that's very concerning is that the minister himself at any time, by regulation, could revoke the Oak Ridges moraine protection plan. There are two parts to this bill: there's a bill with the rules, and then there's the Oak Ridges moraine conservation plan. The minister, in this act, says that any time he wants, he could throw this plan out the window, in the garbage, and say it is of no value. I really wonder whether that is at all part of the deal, supposedly, is part of the agreement that the advisory committee came up with. But for the minister to basically say he can throw this out unilaterally—without legislation, without consultation, he can say this plan is out the window—is very suspect. That means at any time we could lose the protection of the Oak Ridges moraine because the minister could, again without notice, without legislation, kill the Oak Ridges moraine plan any time he wants.

That is too much power than I want to give any minister of the Conservative government, given the fact of their track record of six years where they paved the moraine, they changed watercourses, they did nothing but destroy the environmental integrity of the moraine.

That's why I don't want to leave that kind of power in the hands of one minister who today says he's going to protect the moraine but for six years was doing the opposite. I really don't trust any minister of this government, because for six years they told me and they told the people of Goodwood and the people of Snowball Corners that we were wrong. So we do not believe them. We want that omitted from the legislation. The plan should not be revoked unless there's legislative change. It can't be done by the imprimatur of one minister at any time he or she feels like it.

Another thing that's very concerning is that it's very difficult to understand what happens to all the development applications that were before this government prior to the freeze. I'll give you a couple of examples. One of the real centres of controversy—and I think some of the bravest people who took on this government, the Mike Harris government, and all his ministers—Hodgson, Clement, Newman; you name them, they took them on—were the brave people of King City. The people in King City do not want to be hooked up to this huge sewer pipe that means massive development going into beautiful, small King City. There are about 20,000 people. They fought against that pipe—"the big pipe," they called it, the King City pipe—for years.

The people of King City in many ways have led the fight to protect the moraine, and yet King City's big pipe, with this legislation, will proceed. You can rest assured that the population of King City doesn't feel that Bill 122 and the Oak Ridges moraine plan is of any value to them. King City will lose a lot of its historical integrity if this bill goes through, because there's no protection for King City in this bill. That's why all the reform councillors who were elected—the brave leader of the fight, Jane Underhill, is very upset with this legislation because there's no protection and the big pipe that will bring in countless numbers of development applications in King City will go ahead. This bill does nothing.

Another very interesting thing: another group of people who were very brave were the people who live around Bayview Avenue in Stouffville. Developers around Bayview Avenue are trying to get the government to extend Bayview Avenue right through the heart of the moraine. It's called the Bayview extension. It is probably the most important linkage of the moraine in the Bayview Avenue area. That's going north from Stouffville Side Road, I think it is.

I've been there. In fact, I've protested up there with the good people, as you know, Mr Speaker. For the last couple of summers, to educate myself, because I'm a city person, I've walked back and forth across the moraine a couple of times with people from all these good communities, and they have taught me a lot. Some of the bravest people beyond the people of King City were the people who live in Richmond Hill near the Bayview extension. Bill 122 allows for Bayview Avenue to be extended right through the heart of the moraine. This bill does not stop the extension of Bayview. You wonder, if this bill is going to stop development on the moraine as

everybody thinks, why do you need this road widened through wetlands? There are blue heron in there.

1920

**Mr Peters:** Salamanders.

**Mr Colle:** Yes, there are salamanders in there, a rare species; skinks.

So the question is, if this bill is really going to protect the moraine, why does it allow for the paving of the moraine up Bayview Avenue? Nobody wants Bayview Avenue extended up there except a couple of developers and this government. There is no stopping of the Bayview extension going up north.

When those bulldozers come out going up to Bayview, certainly I will be there, side by side with the good people of Richmond Hill and Stouffville. We'll be there trying to stop those bulldozers. We don't care that we may possibly be pushed out of the way by the bulldozers. We're going to be there saying, "You can't bulldoze the moraine up Bayview Avenue." The government knows they're on notice for that. That's why I'm surprised they didn't put stopping the Bayview extension in this bill. It's not here. I think it's a huge gap, because if Bayview goes through, you're basically going to divide much of the moraine in half. It's something that could be included in this bill very easily.

Another thing that has happened—and this is a bit confusing in this legislation, as I was trying to explain to people, because what's in the bill and what's in the Oak Ridges moraine plan, which is part of the same thing, are contradictory. We'll be bringing this up. I don't think the people who drafted this bill really understood what they were doing in one section, and I'll explain that.

The contradiction is what happens to the applications for development that took place before the freeze took place. According to one piece of legislation, they said they will be grandfathered. In other words, they can go ahead. According to the others, they will not be allowed to go ahead. I hope the government clears that up.

This act allows, in essence, most of the developments that are already on the books in a lot of the very sensitive areas—I've mentioned some of them already—to go ahead. I don't think that is acceptable either. As you know, the first thing the government did when it froze the moraine was that the next day it allowed all these exemptions without any consultation. The question is, is the government going to allow all these sensitive developments that are already there, that started a while ago, to take place? Are they exempt? I don't think they should all be exempt. There should be an attempt to essentially curb some of these developments because they are not, you might say, in cohesion with some of the government's pronouncements later.

We want to make sure that the developments in Coppin's Corners, for instance, some of the developments that are taking place up the Humber River, some of the developments that are taking place certainly in Richmond Hill still, that have jumped the queue in a way or have been there before others got in the queue, the developments in Musselman Lake, the developments



around Wilcox Lake—they should not be allowed to go ahead until there is a thorough environmental investigation by this government. This legislation is contradictory, but it seems to be implying that these developments are grandfathered. In other words, they're going to let them slip through without any kind of protection.

The minister also has to ensure that this bill and the plan have what we call a watchdog. In other words, there's a lot of legislation here, it's very complex, there's a lot of geography here, yet this government doesn't have an Oak Ridges moraine commission, which we have asked for in opposition. We think there should be a watchdog of quasi-judicial people appointed by a peer group of environmentalists and hopefully by an all-party committee. We could appoint some of the best and the brightest environmentalists and citizens to sit and be the watchdogs on the moraine. In other words, we need a commission to overview, even more powerful than the one that oversees the Niagara Escarpment. This bill does not have provision for an oversight body.

You know what happens—and no offence to you and your good name, Mr Speaker. I'll give you an example of what happens. Over the summer, right in the middle of the freeze, this councillor in Pickering known as Bulldozer Johnson had the nerve in the middle of the night to bulldoze two parts—

**Mr Marchese:** Is that a relative?

**Mr Colle:** He's not a relative; I'm sure he's not. He's one of the other Johnsons.

Bulldozer Johnson bulldozed part of the Trans Canada Trail. It was a trail of maybe about 12 feet. He took his bulldozer and bulldozed it to a 60-foot scar across the moraine on the Uxbridge-Pickering town line.

I wrote the Minister of the Environment. I wrote the Minister of Municipal Affairs. I said, "You've got to stop Bulldozer Johnson. He has just bulldozed not one part of the trail but two parts." This government did nothing to stop Bulldozer Johnson. He bulldozed it.

**Mr Marchese:** They didn't respond to your letters?

**Mr Colle:** They said it was a local responsibility. When I sent the letter, Minister Hodgson said, "It's not my job. It's someone else's job." That is why I've called for a protective commission, because there are too many Bulldozer Johnsons out there. Again, no offence to the Acting Speaker, who is one of the other Johnsons.

That's why I'm saying the public doesn't have the wherewithal, the money, to be watching every nook and cranny of the moraine, because it's huge. Again, it stretches from Peterborough all the way up to Caledon. We need a commission to make sure that people like Bulldozer Johnson are stopped in their tracks, their bulldozers confiscated and, if need be, they're put in jail for violating the Oak Ridges moraine.

But this bill does nothing and did nothing to stop the likes of Bulldozer Johnson. If you want to see what he has done, you can go to the Uxbridge-Pickering town line. In fact, yesterday there was a town meeting in Pickering trying to push local government into taking action against Bulldozer Johnson. But that's not the job

of local council. That should be the job of the Ministry of the Environment, the Ministry of Natural Resources or the Ministry of Municipal Affairs. They refuse to do anything to stop the likes of Bulldozer Johnson.

But as I said, there are all kinds of Bulldozer Johnsons out there. That's why we need a protective moraine commission. Only then can we ensure that the moraine becomes a haven for wildlife, a haven for fishermen, a haven for birdwatchers, a haven for people who just like going for a nice walk or hike on a Sunday morning, people who perhaps like picnicking, butterfly catching, photography, whatever. There are some of the most wonderful parts of the province up there, so we need a commission to ensure that the moraine is protected, conserved and promoted as a place to come to for bed and breakfasts, a place to come to to share in the beauty, the smells, the sounds of this sensational part of this province which we will protect if we can get a few improvements to this piece of legislation.

I also want to let people know that in the press in the last number of days after the announcement there have been a lot of pronouncements of people saying we have to thank this government and we have to thank this minister and we have to thank this Premier. I think, first of all, we have to thank the brave people in all these communities who took on local councils.

Strangely enough, most of them were women. The people who led the fight—not strangely enough, but bravely enough—were women. I would say they're brave souls, like Teresa Johnson in Goodwood, who was not afraid to take on this government, not afraid to take on developers, not afraid to take on anyone who dared touch her beautiful moraine. Mary Kay Maynard is another brave person up in Goodwood, and all the good people in Goodwood. There were the likes of Jane Underhill in King City, Nancy Hopkinson in Nobleton with Nobleton Alert. There was Kathy Crowe in Aurora. Again, it's all women. Someone should write a book about how women led me, certainly, to learn about the moraine and showed me the bravery that was needed. They were much braver, it seemed, than the men in this battle.

I'll tell you about one interesting individual. This was David Tomlinson, who is a birder and naturalist who lives in Aurora. He would go to Ontario Municipal Board hearings by himself.

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**Mr Marchese:** Who was that?

**Mr Colle:** David Tomlinson was his name. He was from Aurora. In the Aurora council chambers would be the five OMB lawyers, five Aurora town hall lawyers, 20 development lawyers with their Bay Street pinstripe suits, and here's David sitting at the table, taking on 30 of the highest-priced lawyers, basically taking them to task for not caring about his precious wetlands in Aurora. He wasn't afraid of the developers, as were all the brave people across the moraine. But I have to mention these wonderful people who for years have been going to meetings who don't get their picture in the paper, who weren't thanked by the media because the media always

go after the politicians or the superstars. But they forget that there were so many brave souls like Dorothy Izzard up there in King City. There were so many people who gave their \$10 or \$15 to help pay for pamphlets so they could spread the word of the moraine all through Ballantrae, all through Snowball Corners. They're the people who should be thanked, because this victory, and I think we will get a victory once we expose the weakness of this bill and make it stronger, is their victory. It's the victory of the grassroots over big government and big developers.

When we started this battle, people said up in the moraine, they said in Toronto, "You can't win this battle. They'll never freeze development of the moraine." The ministers—Hodgson, Clement—said, "Building is good for the economy, progress. We've got to bulldoze for the future." That is not what they're saying today, because these brave people have turned it all around. They were brave enough to say that bulldozing is not good for the future. You don't bulldoze everywhere. You sometimes have to stop, and sometimes you have to promote what is called slow growth. In other words, you don't always have to have fast growth, rapid growth. Once in a while you've got to have slow, planned growth that doesn't create automobile slums. That's what this government has basically done.

There's nothing wrong with automobiles, as you know. I drive an automobile, I'm proud to drive an automobile, but you just can't always build everything for the automobile. You also have to build for the future, and that is by keeping farmland, by keeping watercourses, protecting aquifers. That is what the grassroots kept on telling me, kept on telling the media: that it's not right just to bulldoze and build cookie-cutter homes from Oshawa to Oakville. They said that the sprawl must be stopped. They said that the provincial government has a duty to stop sprawl. For six years, this government did nothing but make it impossible for local citizens' groups to stop sprawl, to save their parks, to save their fish and their wildlife.

I don't congratulate the government. I've said thanks to the minister for bringing forth the legislation and I've said that a number of times, but I congratulate the wonderful citizens of southern Ontario who came to meeting after meeting, who were not intimidated by the developers, who were not intimidated by this Legislature, who never gave up when they were blocked. They went over and over again.

I can remember the famous scene in Richmond Hill, where there were about 2,500 people in one of the big hotels there. There were 2,500 people in Richmond Hill, and Richmond Hill council was there. There was going to be a night where they would look at Richmond Hill's attempt to curtail sprawl and stop this development that was proposed by one of the world's largest developers. If you can imagine the scene: 2,500 people sitting there in a ballroom and the council was there and they said, "We're going to discuss this development application by Mr So-and-So." I think it was Mr Lebovic at that time.

The first thing that happened was that the town clerk picked up a letter and said, "Sorry, this is a letter from Mr Lebovic saying that he wishes not to attend the meeting tonight with his application because he doesn't have to. He is going to take the application to the Ontario Municipal Board. They will decide on the application." In other words, it didn't matter what Richmond Hill council decided. It didn't matter what 2,500 people were saying. The developer said, "I don't care what you think. The Ontario government allows me to go to the Ontario Municipal Board and they will rubber-stamp my development." That was totally unacceptable to the people of Richmond Hill, to the point where they basically forced Richmond Hill council to change their vote and helped to turn around this whole awareness about the Oak Ridges moraine.

In fact, they also wanted to give some praise to the city council of Toronto, who had the guts to put forward their money where their mouth was and put \$1 million toward fighting this government and fighting the developers at the Richmond Hill Ontario Municipal Board hearings. What they did was, they were able to hire with that money one of the best lawyers in planning in Toronto, Alan Heisey, who joined with the Jefferson Forest Ratepayers' Association and Save the Rouge, and they blocked this government from bulldozing Richmond Hill. That was a very brave commitment of money by the city of Toronto, where this money should have been coming from this government to stop the paving of Richmond Hill. The government in fact was on the other side. They refused to tighten up the planning rules to stop it. Instead, they forced the city of Toronto to pay money to fight the development in Richmond Hill.

These are the countless stories of how this government's wrong-headed policies for six years promoted, as I said, automobile slums. We have automobile slums all over North America—in Toronto, in Richmond Hill—because what happens is that it's much easier to put up a strip mall, it's much easier to widen a road, it's much easier to put up another parking lot, especially over farmland, and this government's policies have promoted that free reign over precious land, creating what James Kunstler calls an automobile slum. We can have automobiles, but they should be in their place. What we need is liveable, sustainable cities and towns. We've got to preserve our small towns like King City; we have to preserve our small towns like Uxbridge, our hamlets like Goodwood, Caledon, Orangeville, Pefferlaw. All these communities are wonderful places to raise a family. They're wonderful places to interact.

You've got some of the most involved people I've ever met in these communities across the moraine who care about local art. They care about the disadvantaged in their community. They care about their neighbourhoods. They are supportive of the local police. They are supportive of the local Rotary. These are, you might say, the backbone of all the people I would like to congratulate for at least bringing it to this point. I will continue to mention their names because they represent some of the



best and brightest people I have even walked with. I had a 77-year-old woman with a hip replacement walk through farmers' fields with me because she felt so motivated about losing farmland. When you see that, you just know that if you're able-bodied, you can at least do a little bit to help preserve the moraine.

There are countless little stories about First Nations people hiking through King City who were so happy to see us hiking through the backwoods of King City, saying, "Thanks, that you share our love for these natural areas." We had story after story of people who said, "It is wonderful to have this kind of togetherness." David Suzuki came to speak to us and told us we have to change our ways. Pierre Berton has been with us and Hal Jackman. All kinds of people have said, "Don't listen to the side of darkness that says you have to pave everything black. Progress is not just paving. Progress can be preserving. Progress can be conserving."

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I also want to say to people all across the province and all across the GTA who are still wondering where we go from here that in the last year there have been about four different occasions where we've read the big, bold headlines in the *Toronto Star* and other newspapers which say, "The moraine is saved."

I remember one time they had this map on the front page of the paper saying, "The moraine is saved because the province has put out a map." So I'm getting all these e-mails and phone calls from right across the province saying, "The moraine is saved. Great. It's on the front page of the paper." That map represented about 1% of the moraine, but because the headline said, "Moraine Saved," they all, in their hope, thought it was true. But I told them at that time, "Please, before you accept the moraine as saved, wait for a couple of weeks. Let's go through the proposals, let's separate the truth from fiction, and we'll find out whether the moraine is saved." That was a false alarm. That map was basically useless. It was an attempt by this government to pretend they were doing something.

Then we had another occasion when the freeze was first announced. People said, "The moraine is saved again. They froze it. It's gone." I said, "No, no, it's a temporary freeze. It's not saved yet." Then, as you know, within a week the government announced about 10,000 acres of paving as part of the exemptions to the freeze. Again I told them, "Please, don't think it's saved because a freeze is announced."

Then another occasion occurred when this panel of experts the government appointed to bring forward a plan for the moraine, some good people, had their first draft. They had their press conferences and the government said, "This is great. Everybody's got to accept this first draft to protect the moraine. It's a wonderful plan. You've all got to salute it." Some of us said, "Here we go again. This is the fourth time." The moraine was not saved by the first draft. The first draft was basically miserable. It didn't really do anything.

I guess this is hopefully the second-last or last stage, where we had all this fanfare. We had Bill 122 an-

nounced. We were told again, "We've got to salute this bill. It's fantastic. Mike Harris is going to be knighted along with Conrad Black," all this kind of thing over the e-mails and newspapers. They were going to name it the Mike Harris Moraine Park, all this kind of stuff. And I said, "Just wait a minute, please. This is the fifth time we've been told the moraine is saved."

What I also tell them is to remember that this is a desperate government that knows that the polling—

*Interjection.*

**The Acting Speaker:** Would the member for Elgin-Middlesex-London—

**Mr Peters:** Sorry, Speaker.

**The Acting Speaker:** The Chair recognizes the member for Eglinton-Lawrence.

**Mr Colle:** Now we've had the fifth introduction of good news that the government is going to protect the moraine. As much as I think we are close to protection for the moraine, I still think we can make this legislation much stronger so that it will last for decades and generations. But I implore people out there not to break out the champagne yet. We have a duty. I say to them, "Remember the other four times when we were told to accept these plans. They weren't good enough."

This is a government on the run. This is a government that is being forced into this position. They're going to protect the moraine; they have no choice. None of them would be elected. All the members of this party who have ridings in the 905 won't win a seat if they don't protect the moraine. So rest assured the moraine will be protected, but don't take just half a loaf. Be tough, be informed. Let's strengthen this bill, let's amend it, let's make it stronger so we get rid of the backroom land swapping. That cannot be part of this attempt to save the moraine.

We have to make sure that the plan can't be revoked by the minister with just the stroke of a pen. We have to make sure there are no exemptions, all across the moraine, of sensitive developments. We've got to make sure that Bayview Avenue, for one, is not bulldozed through the moraine. I ask people in Uxbridge, in Cobourg and all across the moraine to join with us for this last leg of the battle, to make sure that the people of King City get their protection, to make sure that the people who live around Bayview Avenue get their protection.

Certainly I also want to ensure that somehow—this bill also does not allow full protection for the eastern end of the moraine, which is part of the Northumberland section that goes all the way past the great plains of Rice Lake to the Trent hills. This bill excludes that from the highest level of protection. That's why I've said over and over again to the people of Newmarket, Thornhill and Toronto, let us keep pushing to make this better legislation that includes everyone, that includes all the moraine, because geographically this bill includes only three quarters of the moraine. One quarter of the moraine is not protected.

I think that part of the moraine—the Northumberland forest, the Trent hills and the plains of Rice Lake—is a

marvellous natural area that cannot be susceptible to bulldozers. There is wonderful farmland there, there is wonderful fishing there, and it's essentially a buffer between Rice Lake and Lake Ontario. The moraine is right in the middle. It feeds both Rice Lake and Lake Ontario, and I think that should be part of the protective plan. I don't understand why that part of the moraine has been left out. Just like that phony map the government put out early on when they said that 1% of the moraine was going to save the moraine, that's not the moraine. The moraine is not just Oak Ridges, Richmond Hill or Uxbridge; the moraine, as I said, goes all the way to the Trent hills, to Dufferin county, all the way down to Peel, and it is a precious area. What I wonder and worry about is that, as much as there's a green corridor, a lot of these exemptions which the government is allowing in this legislation may put a lot of grey-black areas through the green corridor.

I hope there are meaningful public hearings, and I invite people from all across southern Ontario to come to the meetings. I hope, and I'm sure, the brave women, especially, who have been leading this battle across the moraine—Deb Crandall and Teresa Johnson, all these wonderful people—continue to ask for better and improved legislation. Bill 122 can be strengthened and improved, and in the public meetings that will take place—the government has promised public meetings—we can come up with some expert analysis, some expert amendments to make this a strong bill that will endure the test of time.

I don't think we'll ever have another kick at the can here and I think we've got an opportunity to get it right. We've brought the government, kicking and screaming, to this point. For years they denied they had to do anything about it. The polling, the election results in Vaughan-King-Aurora, a whole host of things—the government knows people will not accept anything but a full protection plan. We have a plan that may be the beginning, that is the genesis of a protection plan, but I think through good input from the public out there—we had 400 scientists who said the moraine should be protected. I would like to get input from them.

As much as it's great to celebrate, I think it's a bit premature. We have perhaps a few more weeks to add some—in opposition we will do this. We will put forward some very thoughtful amendments. We've thought of some already. I've mentioned some of them tonight. We do it because we think there are a lot of backbenchers who have been calling for this, even on the Conservative side, but they haven't been able to express that because the cabinet members have squashed every attempt to protect the moraine. We've seen them do that over the last six years.

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I think the first signal this government has to give that it's serious is to ensure that the multi-million dollar land swap they've announced is not secret, because the genesis of all the problems in the Oak Ridges moraine area has been the secret pressures from the development

industry, who exert undue pressure on local councils and bring undue pressure to bear on this government. I think the land swap for Seaton has to be in the open, with public rules, public principles and public parameters, and with no hidden agendas. It's got to be a public agenda.

**The Acting Speaker:** Comments and questions?

**Mr Marchese:** I want to congratulate the member for Eglinton-Lawrence for his vigorous defence of the Oak Ridges moraine and for his defence against development and particularly developers. While it is true that Liberals know a couple of developers themselves, in this instance the Liberals have fought against developers and development.

What he says is also very true: he praises, quite correctly, the men and women—particularly the women—in that 905 region who have been very, very effective organizing against this government in protection of the Oak Ridges moraine. There were a lot of good men and women fighting the amalgamation of the city of Toronto—just as strong, just as good, just as vigorous in defence of their local cities. But they weren't very successful in convincing the Tory members of the Toronto caucus, let alone this other caucus that comes from the rest of the province. So, yes, praise the men and women from the 905 region who convinced this government to see the light.

But it's not a matter of seeing the light; it's a matter of an election coming soon, right? It's not a question of Mike Harris all of a sudden rediscovering the Oak Ridges moraine. He said, "Holy cow, we're coming near an election. We're in big trouble. What do we do?" It wasn't so hard for the men and women to be effective in convincing Mike Harris and the rest that they had a problem. Nevertheless, irrespective of that, they have succeeded and they were victorious, unlike in other regions of the province where men and women of good will have not been able to persuade this government to do the right thing.

The member for Eglinton-Lawrence talked about the fact that this government still controls and has the power to revoke this plan with the stroke of a pen. They still have the power to do that, and there is no protection against the power of the government to do that. And we know they've used it in the past.

I congratulate the member.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I'd first like to make a remark on the member for Eglinton-Lawrence's comment that he had travelled around parts of my riding, including Orangeville. Just to emphasize, Orangeville is nowhere near the moraine. If he was tramping around Orangeville, he got outside the boundaries a little bit. What it does affect in my riding is parts of Caledon, Caledon East, Palgrave, and parts of Mono township which, to be fair to the member for Eglinton-Lawrence, is in Dufferin county.

I would like to comment specifically with respect to grandfathering and the land swapping issue, which he mentioned throughout his remarks. He's got to realize that this has been a very difficult issue. This has gone on



for a long period of time. There has been a great debate among municipal politicians, environmentalists, residents, all kinds of people.

*Interjection.*

**The Acting Speaker:** Member for Trinity-Spadina, come to order.

**Mr Tilson:** To give credit to the advisory panel, which represented the various interest groups, they got together and worked out an arrangement. If they hadn't worked out an arrangement I'll tell you where you'd be: you wouldn't be in this House today; you'd be before the Ontario Municipal Board, the very board you despise so much. You would not be here. You would not be here debating this bill tonight. So you have to thank—

*Interjection.*

**The Acting Speaker:** Member for Trinity-Spadina, come to order.

**Mr Tilson:** Let him ramble, Mr Speaker. He does that. He's irrelevant.

The various interest groups have been represented by the advisory panel. They got together, they worked out an arrangement with all these people and, I repeat, if they hadn't done this, we wouldn't be here tonight.

**Mr Peters:** First off, I'd like to say I don't think the member from Trinity-Spadina is irrelevant. I think he does a very good job in this Legislature. But I think somebody who has done a better job in this Legislature is the member from Eglinton-Lawrence. Since 1995, we've gone through four municipal affairs ministers, but we've had one individual with the tenacity to keep at this issue, and that has been Mike Colle. I'm extremely proud of Mike for what he has done, because this isn't Mike's riding. This is outside of Mike's riding, and Mike has ensured that this issue has stayed on the forefront of the agenda of this government. It's obvious right now, as the polls come out and we see that their support in 905 is slumping, that they had to come out and do something. We're very pleased that they came out and finally recognized the importance of this huge natural asset that has been left behind.

What I'm extremely concerned about—and the member from Eglinton-Lawrence made reference to it—is some of these sweetheart land deals that have the potential to unfold here, where developers who made investments at the last minute are going to be rewarded with lands in Seaton. But more importantly, we need to recognize that a real issue we as legislators have to tackle is the whole question of urban sprawl. It's one thing that we can stand up now and say, "Hurray, hurray. We've saved the moraine. Don't pave." But we're also looking at some of the best agricultural land in this province that's in jeopardy right now.

I think we need to express some concern that in the land swap, if it's a one-acre-for-three-acre land swap, some of the best agricultural land in this province is going to be taken out of production. We've seen how this city has grown and how this province has grown, but we can't allow this constant erosion of agricultural land. I'll tell you, we can talk about security and everything, but

one of the things this government has neglected is the need for a food security policy in this province.

Way to go, Mike Colle. Keep it up.

**Mr Bart Maves (Niagara Falls):** I like the member from Eglinton-Lawrence, Mr Colle. He has been here for a while. I was here in 1995 to 1999; he was here from 1995 to 1999. We chat every now and then; we get along very well. The member from Elgin-Middlesex-London was not here from 1995 to 1999. The only thing I have to say about his kudos to Mr Colle, the member from Eglinton-Lawrence, is that if you check Hansard between 1995 and 1999, I think you might be able to count on one hand the number of times the member from Eglinton-Lawrence mentioned the Oak Ridges moraine. I may be wrong, but quite frankly I don't recall this issue being raised in the Legislature at any length whatsoever from 1995 to 1999 by any party—the NDP, the Liberals or the government. The fact is, it didn't really become something the government dealt with—and the members opposite dealt with—until Mr Gilchrist raised it as the Minister of Municipal Affairs in 1999.

Mr Peters runs for the Hansard. He wants to find some kind of reference. That's fine. But I'm willing to bet that if you look at Hansard between 1995 and 1999 and look for how many times Mr Colle stood in this Legislature and went on at length about the need to protect the Oak Ridges moraine, you'd be able to count the number of times he mentioned it on one hand.

So let's be honest and let's be fair. Once it became an issue, after 1999—Mr Colle is a wonderful showman; he knows how to jump on an issue, and he has since 1999. But prior to that—let's be fair and let's be honest—it wasn't that often that he mentioned it.

**The Acting Speaker:** The member for Eglinton-Lawrence has two minutes to respond.

**Mr Colle:** Before I deal with some of the pettiness by the government members, I want to make sure I thank Earthroots—one of the best organizations that helped me and everybody protect the moraine—and Richard Brooks and Josh Matlow, who were some of the brave foot soldiers. I want to endorse them in any way I can. They were doing such good work right across this province in everything from saving wildlife to protecting cities from urban sprawl.

I also want to thank the member from Trinity-Spadina, who is certainly right in making this part of a battle, really, a victory for the grassroots, like the battle to protect Toronto from the megacity legislation.

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I do want to say to the member from Orangeville, Mr David Tilson, that what I was also mentioning in my travels was that I did go to Toronto. I know Orangeville isn't technically on the moraine, but the good people of Orangeville supported the battle to protect the moraine. He can get petty about where this is or where this isn't, but I'll tell you I had people on and off the moraine that I visited. I had meetings on and off the moraine, and they were all together. So I say thanks to the good people of

Orangeville, that you were part of the battle even though your member doesn't recognize that.

I want to say thanks to the member for Elgin-Middlesex-London, because this is an agricultural preservation issue too. I've got a lot of respect for people who work day and night preserving farmland, and this government is doing nothing to stop farmland from being paved from Niagara all the way to Kingston.

I certainly want to thank all of you for those comments. I am looking forward to looking at this government's involvement, through the Ontario Realty Corp, in the Seaton lands. I want to see what they did with the Whitevale golf course. I'm interested in the Box Grove development. I'm going to be going up into the Seaton lands quite regularly, up in Duffins Creek, Carruthers Creek. I'll be there in Box Grove trying to unearth what this is all about.

**The Acting Speaker:** Further debate?

**Mrs Julia Munro (York North):** Mr Speaker, I will be sharing my time with the member for Niagara Falls.

I am pleased today to speak on second reading of Bill 122, the Oak Ridges Moraine Conservation Act, 2001. This proposed legislation represents a milestone for the people of Ontario. If it is passed by the Legislature, it would allow the government to establish an ecologically based land use plan that would protect 100% of natural and water resource features on the Oak Ridges moraine. The plan would preserve agricultural land and it would limit almost all development to approved settlement areas.

I think we all know why this is so important. The Oak Ridges moraine is one of Ontario's most significant landforms, stretching from the Niagara Escarpment in the west to the Trent River in the east. Its rolling green hills, forests, lakes and streams make it a valuable resource, but its physical beauty is only one aspect of its value to the people of Ontario.

It provides an important link between several of southern Ontario's important river valley systems and serves as a habitat for many plant and animal species, some of them endangered. The moraine contains the largest concentration of headwater streams in the greater Toronto area and acts as a storage reservoir and recharge area for groundwater which feeds streams, rivers and lakes. Perhaps most important of all, it is an important source of clean drinking water to local residents. Aquifers within the moraine provide drinking water for more than 250,000 people in the greater Toronto area and a water supply for agricultural, industrial, commercial and recreational uses. So it is little wonder that so many people are so concerned about the long-term health of the Oak Ridges moraine.

But even though people have been concerned about the moraine since the late 1980s, ours is the first government to actually do something about it. Our plans for the Oak Ridges moraine build on our other environmental accomplishments, including the managed forest tax rebates and Ontario's Living Legacy.

The bill that was introduced last week and that the government intends to put in place by regulation if the

legislation is passed would protect the long-term health of the moraine. As the members are aware, the plan reflects the recommendations of the advisory panel which was appointed early in the summer. The panel spent much of July and August looking at the wealth of information that already existed, including public input received in June by the three regions in response to their own proposals for protecting the moraine. The panel also looked at information that had been produced in the course of a number of Ontario Municipal Board hearings on applications for development on the moraine. They made recommendations which formed the basis of the Share Your Vision document which was released for comment in August. The public commented on that document, and those comments were also taken into consideration when the minister prepared the draft plan.

At this point it is important to take a minute to thank the panel for its hard work through the summer. There are many caucus members as well who have taken an interest in the moraine and worked hard on behalf of their constituents to protect it.

Let me take a few minutes to cover the highlights of the plan. As recommended by the advisory panel, the plan would divide the moraine into four land-use designations: natural core areas, natural linkage areas, countryside areas and settlement areas. Almost all new development would be concentrated in the settlement areas, which constitute just 8% of the total land area of the moraine.

The natural core areas would include large concentrations of key natural features, significant hydrological areas and complex landforms. Permitted uses in these areas would include existing uses, passive recreational uses such as nature parks and hiking trails, and agricultural uses. Natural core areas would make up 38% of the total area of the moraine.

The natural linkage areas would include woodlots, wetlands and rural lands that link natural core areas with each other and with other natural corridors. These corridors include the river valleys that extend north of the moraine to Lake Simcoe and south to Lake Ontario. Permitted uses in the natural linkage areas include all the uses permitted in the core areas and some new mineral aggregate operations, subject to strict conditions. Natural linkage areas would make up 24% of the total area of the moraine.

That means that nearly two thirds of the moraine would fall into these highly protective designations. Eighty-four per cent of the moraine's woodlands and wetlands can be found within these two designations. Eighty-eight per cent of kettle lakes and 93% of species at risk on the moraine would be protected in these areas.

Countryside areas would include land currently in rural and agricultural uses. Here, the plan would permit small-scale rural commercial, institutional and industrial uses—seniors' residences, for example—and active recreational uses such as golf courses. New subdivisions would not be permitted. Within these countryside areas there are existing rural settlements or hamlets. Some



minor infilling in these settlements and hamlets would be permitted, as would some rounding out. Countryside areas would make up 30% of the moraine.

Finally, settlement areas would be those already approved for urban land uses. All urban land uses would be permitted. These existing settlement areas make up just 8% of the land area of the moraine.

Regardless of the designation, though, any new development would also be subject to strict ecological constraints to protect the moraine's significant natural resources and functions and its water quality and quantity. That's why we can say that the plan would protect 100% of natural and water resource features. Even those features that may exist in settlement areas would be protected by strict policies.

The legislation would require that all new Planning Act applications made on or after November 17 conform to the proposed Oak Ridges moraine conservation plan. Within 18 months, municipalities would be required to amend their official plans and zoning bylaws to conform to the proposed plan.

#### 2010

There is a provision in the legislation for a 10-year review of the plan. I raise this now because I know that some of the members are concerned about it.

The legislation does say that expansion of settlement areas could be considered into countryside areas if it can be demonstrated that expansion is in keeping with long-term municipal growth requirements. The approval of the Minister of Municipal Affairs and Housing would be required, and such an expansion would be subject to public input.

But let me be clear about the purpose of the 10-year review. Regularly scheduled reviews are a common feature of the planning system. In fact, there is currently an undertaking of a five-year review of the provincial policy statement. Why? To evaluate how well it's working; to see where it could be improved; to see where changing circumstances should be reflected by policy adjustments. Frankly, it would be irresponsible not to review plans and policies. Even the most well-thought-out plans are rarely perfect. But it's only after they've been in effect for a few years that the strengths and weaknesses become apparent. And even if a plan were perfect the day it was put into effect, things change. More scientific data become available. Farming technology improves. Any number of things could happen that might lead us to adjust the approach to protecting the moraine.

The 10-year review is not a loophole, as some people have suggested. It is a vital tool to allow us to improve and strengthen the plan when it is appropriate to do so. But in order to make absolutely sure that the review is used to strengthen rather than weaken the plan, there is included in the legislation a clause to the effect that the 10-year review cannot—and I stress “cannot”—be used to reduce the size of the natural core and natural linkage areas.

I should also stress that the legislation and the plan are just part of the government's broader strategy with

respect to the moraine. We believe everyone, including seniors and people with disabilities, should be able to enjoy the beauty of the moraine. That's why one of our priorities is the establishment of a continuous east-west trail, from one end of the moraine to the other.

We also plan to establish a foundation along the lines of the trust recommended by the advisory panel. The foundation would be involved in funding land securement and conservation easements to protect high-priority sites. It would fund public education programs and stewardship programs to encourage landowners on their own lands. And it would support the trail by funding the purchase of access points and the construction of facilities, bridges and interpretive centres.

From this brief overview, you can see that this will safeguard the moraine now and in the future. It will provide certainty for environmentalists, developers, municipalities, aggregate producers and farmers. Furthermore, it would create a system of parks and a continuous trail that will be a lasting legacy for our children. It is a tremendous achievement. I ask every member of this House to support this important legislation.

**Mr Maves:** It's a pleasure for me to rise and join in the debate on the Oak Ridges Moraine Conservation Act, 2001. Previous to coming here this evening, I happened to stop by the Royal Agricultural Winter Fair, well known as just the Royal, which has really become a tradition in Ontario, down at the CNE. I had occasion to talk to some of the folks down at the fair who have been there for many, many years. I chatted with many of the vendors and they're having a bit of a down year and they were hopeful that maybe I'd come back here tonight and do a little bit of advertising for them and remind folks around the province about the Royal, that it's on at CNE right now. I believe it ends this coming Sunday.

Get down there and take in the Royal. See all the animals, all of the displays and go see some of the guys that have been there for many, many years, like Graham Wasnick at the Fox and Hound, and have one of Rick How's cinnamon rolls. They just melt in your mouth. Get down there and try one of those. Mark Harrison, who has Harrison's fine ice cream products, is there every year. I'm sure that a lot of school kids will go there in the next couple of days with their classes. That's a tradition. We really need to get the people of Ontario back to that fair. It's a great place to bring your kids. Spend some money, help the economy roll and help those good people down at the Royal.

But I digress. I obviously can't speak too long. I don't have a lot of time to talk about the Royal. I'd love to go on about that great tradition.

What I really want to talk about are a couple of quotes I read once the Oak Ridges moraine act was introduced the other day by Minister Hodgson. All the papers and all the media outlets, even some of the members opposite, quite frankly, were full of praise for the minister.

**Mr Marchese:** Ecstatic.

**Mr Maves:** Ecstatic, as the member opposite says; they really were. I happened to notice that even some of

the government's long-time critics who will pick at the government over just about any issue went out of their way to support the government.

#### *Interjection.*

**Mr Maves:** The member opposite asks, "Who?" John Barber, for instance, in the *Globe* has never really been a great fan of the government. And what did Mr Barber say? He said, "When the full effect of this week's work becomes apparent—in 40 or 50 years' time—the Mike Harris memorial greenway will be seen for what it is: priceless."

Everyone in Ontario knows the politics of the Toronto Star and the editorial board. They're not fans of the government, for sure. What did the Toronto Star editorial say? It said, "Hodgson and his cabinet colleagues deserve credit for listening. Three provincial governments have grappled with this tough issue. Finally this government acted." "This is a huge victory," it said. Really, what caught me in that last quote was, "Finally this government acted."

I also found another quote that had a similar sentiment to it, this one from Connie Woodcock, who said, "You have to hand it to the Harris government. When they get behind an idea, they carry through." Everyone around the province of Ontario knows that is probably the hallmark of the Harris government, that what the Harris government says it will do, it does. You can go back and you can get our campaign platforms from 1995 and 1999 and you can just tick off every single promise that we made in those platforms. We do exactly what we said we were going to do.

Six months ago, we put a freeze on the Oak Ridges moraine and we said we were going to act. Several years ago, we undertook a Lands for Life exercise. When it was completed we had the largest natural park system in the world, recognized by the World Wildlife Fund as an incredible achievement. That Lands for Life process was really an example of and a precursor for what happened with the Oak Ridges moraine. The government enlisted hunters, miners, foresters, environmentalists, ecotourism groups, got everyone together and had all kinds of meetings and consultations. A long period of time was spent, a lot of work was done in building a consensus. You know what? We didn't just leave the results of that on the shelf, which is what the other governments quite often did. We acted on it, and the result of that was the Lands for Life process.

Now, in a much speedier process, one has to give credit to Minister Hodgson, who said, "We're going to put a freeze on this. I'm going to go and speak to a lot of the people involved—the developers, the environmentalists and the municipal people." And Mr Gilchrist, a previous Minister of Municipal Affairs and someone who, unlike other members of this Legislature, has known about and talked about this issue for many years and deserves a lot of credit for a lot of these quotes that are given here, a lot of the kudos given to the Mike Harris government and Chris Hodgson. A lot of that credit should go also to Steve Gilchrist.

#### 2020

Minister Hodgson took in all of these groups, sat them down and said, "Look, we've got to come up with a plan for the future of the Oak Ridges moraine." He came up with a plan. He listened to what they all said and he acted. That's why all of these different organizations—and I've only talked about the ones that have quite often been critical of the government, to show how much support we have for this legislation.

I'll finish off. John Riley from the Nature Conservancy wrote a long letter, a two-pager, to Oak Ridges moraine supporters. He finishes off with, "Unfortunately, it is politically incorrect these days to thank politicians for anything. However, I want you to know that I have extended to Chris Hodgson our special thanks for taking on this intractable issue, for trusting the process that we recommended to him, for trusting the advisory panel made up of very strong individuals, for listening to the public and expanding on the panel's recommendations, and for driving everyone to a successful!"

#### **The Acting Speaker:** Comments and questions?

**Mrs Marie Bountrogianni (Hamilton Mountain):** I'd like to congratulate my colleague from Eglinton-Lawrence for his speech tonight. I wasn't here between 1995 and 1999, so I don't know how many times the Oak Ridges moraine was mentioned between 1995 and 1999. I can't question the member from Niagara Falls—

**Mr Steve Gilchrist (Scarborough East):** Zero. Check Hansard. Zero.

**Mrs Bountrogianni:** Mr Gilchrist, if you want to heckle me, get back to your seat.

#### *Interjections.*

**Mrs Bountrogianni:** OK. Seriously, I want to congratulate the member from Eglinton-Lawrence. I wasn't here between 1995 and 1999, so I can't question Mr Maves's assertion that it was never discussed between 1995 and 1999, but I can say that between 1999 and now, my colleague Michael Colle has been relentless on this issue. Regardless of whether it was in his riding or not, he has had the best interests of the environment at heart. There hasn't been a caucus meeting, there hasn't been a retreat—

**Mr Gilchrist:** He never met an ambulance he didn't want to chase.

**Mrs Bountrogianni:** Get to your seat if you want to heckle me.

There hasn't been any kind of meeting where Mr Colle has not talked to us about this. In fact, to be honest, at times I thought, my goodness, can't he talk about something else? And he has: the abolishment of puppy mills, which we firmly support, of course; better legislation for puppy mills. However, to question even indirectly his—

#### *Interjection.*

**Mrs Bountrogianni:** I'm almost finished, Mr Gilchrist, then we can talk, OK?

To actually question Mr Colle's commitment to this I think is a little bit sad, because he is tremendously committed to this. Like I said earlier, at times I was even



tired of hearing about it, but all the work of all the environmentalists, all the support groups and, yes, finally the government, has led to a successful conclusion.

There are a couple of loopholes, and we will be bringing amendments in the committee. For example, we want the land swap to be open. We want the meetings to be open. We don't want sweetheart deals between the government and the developers. However, we are very pleased on this side of the House that the environmentalists' and the opposition groups' efforts have paid off.

**Mr Marchese:** Listening to the member from Niagara Falls, you get the impression that he has always loved trees and critters and water. Good God, he sounds like a real lover of the environment and that it has always been thus. Quite frankly, member from Niagara Falls, I'm not quite sure I ever remember you talking about the environment in the same way the member from Eglinton-Lawrence did. Even if it wasn't mentioned every day, it is true that the member from Eglinton-Lawrence has talked about this issue in the past, as did Marilyn Churley from Toronto-Danforth. They both have, including so many other citizens. So it is truly unfair for the member for Niagara Falls to say that they have never talked about this issue.

**Mr Maves:** I can count it on one hand.

**Mr Marchese:** One hand? All you have to do is simply say that and it's proof, it's evidence that that's the way it is. Because no one is going to be able to check. It's not as if the good citizens of the 905 are going to be able to go into the Hansard. They could if they wanted to, it's true, but the majority of people are not going to go into Hansard and say, "Let me check this out and see if Bart is really"—

*Interjection.*

**Mr Marchese:** Therefore, to the good citizens, the member from Niagara Falls also says—

**Mr Gilchrist:** You're off message.

**Mr Marchese:** No, no; for fairness' sake from time to time, please.

He also mentions that a few people got together—a few good, kind people of Ontario got together—they sat down, and they worked something out. They came up with this wonderful thing because they really love to listen to the public. It's a bit funny to listen to that kind of stuff, because this government's legacy in terms of its *modus operandi* is not to listen to anybody. They don't listen to anyone, except that in the 905 region it's key and they really depend on those votes in that area so, yes, in this case they listen.

**Mr Gilchrist:** It is so amusing to listen to members like Mr Marchese stand up and make the comments that he just did, because there is no government in the history of Ontario that has had more hours of public hearing than our government. There is no government that has gone out on committee across Ontario—left this building—for more hours of hearings than this government. There is no government that has allocated more time to debate in this Legislature than our government. Those are the facts.

Let's talk about the environment. I know that Mr Colle, the member who is deserving, according to Ms

Bountrogianni, of the accolades of the Liberal Party, has never met an ambulance that he didn't want to chase. But the facts are—and I would invite you to check Hansard—neither Mr Colle nor anyone else in your party used the words "Oak" and "Ridges" and "moraine" in the same sentence ever before 1999. But after the media told them that the Tories were onside for this, they were very quick. I'll give you guys credit: you're fast on your feet when it comes to trying to chase that ambulance and catch up to it.

The bottom line is that the cold, hard fact that the members opposite don't seem to have any evidence to refute, so I'm doubly comfortable citing it again in this House, is that in the entire history of Ontario, all but two parks that exist today were created by Conservative governments. You talk the talk; you don't walk the walk. The fact of the matter is, whether it's the Rouge Park on the edge of my riding that Bill Davis froze, David Peterson froze, Bob Rae froze—it was the coldest place in the province of Ontario, but nobody made it a park and gave it the appropriate protection. We did. We protected the Scarborough Bluffs. With Ontario's Living Legacy, we created more parkland than any government in the history of the world, and now we've created the Oak Ridges moraine, the biggest preserve of its kind anywhere in Canada, and we did it in 835 days.

**Mr Gravelle:** I think it's remarkable how the members of the Conservative government are having such a difficult time at least acknowledging the extraordinary work that the member for Eglinton-Lawrence, Mr Colle, has done on behalf of keeping this issue alive—a man who was extraordinarily diligent, and I think they know that. Here they are quite literally splitting hairs as to when he got involved. The fact is, his involvement has been very genuine. It's not part of his riding, and he still cares a great deal about it. Let's also give credit to the people themselves who fought so hard to get the government onside. Let's give the member for Scarborough East some credit as well for being very involved in it; absolutely true. There are many members.

But I don't think it should be so difficult to give Mr Colle credit, and indeed they should. This is real progress. There was real resistance, and again the member for Scarborough East will even acknowledge that his own government was somewhat resistant to moving this forward in the fashion that he wanted to. He put a private member's bill forward himself to try and get his own government to move forward. I think that is not a complete exaggeration to say. There was a need to get the government to move on this. Certainly the members for Niagara Falls and York North, I would like to think, would acknowledge that as well.

Having said that, some things have happened. A piece of legislation has gone forward that, generally speaking, we're very pleased to see. There are some real flaws in it. There are some real concerns that I think need to be addressed through amendments, and I hope that during the consultation process the government will recognize some of those. It is somewhat alarming that the land

swap has been just done like that, and that is not part of the legislation. That should obviously be an open and transparent process. I would think everybody would agree with that.

I think there are also some concerns related to the fact that the minister responsible for this legislation can, simply by the flick of a pen, determine that indeed this legislation no longer needs to stay in place. He's got regulatory powers that are far too extreme.

Those are concerns we all have, but let's thank Mike Colle, please.

2030

**The Acting Speaker:** The member for York North has two minutes to respond.

**Mrs Munro:** Thank you to the members for Hamilton Mountain, Trinity-Spadina, Scarborough East and Algoma-Manitoulin.

Much of the comment has centred on the question of who claims to have been a part of this. I think it needs to be seen in the context of the action that this government has taken.

The whole notion of finding consensus I think is the hallmark of this particular initiative in the legislation that we're looking at. When you look back at some of the issues that have been addressed in a similar fashion, it becomes evident that it is a hallmark of the action of the government, when you look at the managed forest tax rebate, the kind of securing of forest lands in this province done earlier by our government, the ability to bring together all of the groups to be able to provide the Living Legacy, which others have referred to as the most extensive park system in the world and certainly a significant achievement in this province.

But the question of the issues around the Oak Ridges moraine was something both the previous governments could have taken on had they wished to. They chose not to. This government has taken the bold step of bringing together all of the interests that were there that had issues with the moraine and been able to come with this piece of legislation.

**The Acting Speaker:** Further debate?

**Mr Richard Patten (Ottawa Centre):** I'll be sharing my time with the member for Thunder Bay-Atikokan. If something happens to her on the way here, then the member for Thunder Bay-Superior North may fit in.

The first thing I would like to acknowledge is that everyone agrees this is a very special occasion, that something significant has taken place. There are surprises as to exactly the timing of certain things, but nonetheless something has taken place.

I'd like to start off my comments tonight by quoting a few thoughtful people related to the overall context of this particular bill. I would quote, for example, our Environmental Commissioner, Gord Miller, who said this: "We've always had problems with the Great Lakes ... but what's happening is we're coming into what we economists call the carrying capacity of the land. We're reaching our limits for the first time in Ontario.... If present trends and mechanisms continue without alter-

ation, then things like species extinction are a certainty within 20 years."

"The great ecosystems are like complex tapestries—a million complicated threads, interwoven, make up the whole picture. Nature can cope with small rents in the fabric; it can even, after a time, cope with major disasters like floods, fires and earthquakes. What nature cannot cope with is the steady undermining of its fabric by the activities of man." Gerald Durrell, British author and naturalist.

"The collective actions of humans—developing and paving over the landscape, clear-cutting forests, polluting rivers and streams; altering the atmosphere's protective ozone layer, and populating every place imaginable—are bringing an end to the lives of creatures across the earth. I think we must ask ourselves if this is really what we want to do to God's creation, to drive it to extinction. Because extinction really is irreversible, species that go extinct are lost forever. This is not like Jurassic Park. We can't bring them back." That's from "The Sixth Extinction," written for National Geographic by Stuart Pimm.

"Seven out of 10 biologists believe the world is now in the midst of the fastest mass extinction of living things in the 4.5-billion-year history of the planet, according to a poll conducted by the American Museum of Natural History.... That makes it faster even than the crash which occurred when the dinosaurs died some 65 million years ago. Unlike that and other mass extinctions of the pre-human past, the current one is the result of human activity, and not natural phenomena."

I have two more quotes that I think are pertinent to the context of this, if I may.

"We abuse land because we regard it as a commodity belonging to us. When we see land as a commodity to which we belong, we may begin to use it with love and with respect." Aldo Leopold.

Finally, "As the human population grows and our demand for natural resources increases, more and more habitats are devastated. Today, we may be losing 30,000 species a year—a rate much faster than at any time since the last great extinction 65 million years ago that wiped out most of the dinosaurs. If we continue on this course, we will destroy even ourselves."

Some people may say those are melodramatic statements related to a bill that is protecting an important part of our dear province, but I suggest to you that somehow we have to think of our connection to our world. We forget sometimes that we are of and from nature; it's not the other way around. Whenever we try to dominate nature, somehow we make miserable mistakes. This is akin to the genetically engineered food that is now emerging that is tampering with the very DNA of species, plant life and humanity itself, which is quite disturbing.

I suggest there is an opportunity for some celebration here. There are some cautions, and I will try to point out a few of these, but I applaud the government's move. I also want to acknowledge the efforts—as so many have, except on the government side—of the member for



Eglinton-Lawrence, his tireless work and his interest in this. I say "tireless work" because this was not a 9 to 5 experience for him. He obviously took this on with a great amount of zeal and a great sense of mission.

The member for Niagara Falls quoted John Barber's article. I would just quote another section of the same article in the *Globe and Mail* which says, "Yes, they were pushed. The Tories had already lost one by-election in their heartland and knew, by dint of serious polling, that more carnage loomed. So they moved decisively to contain the damage," etc. You get my drift, or at least you get the drift of what John Barber is saying.

Later on in the article he goes on to say, a third party, "No politician did more to organize and encourage the rural grassroots than Mike Colle, a big-city Liberal who raised eyebrows when he first showed up in Snowball two years ago, preaching conservation." So there you have it. I want to likewise, as my colleagues have, acknowledge his particular role. It's a little petty to say, "Well, he wasn't speaking too loudly about this five years ago." The fact is that he did play an important role. The evidence of that is that the government adopted essentially the wording of his private bill and incorporated it. That's a compliment. Most people watching on TV, the thousands of people who would be watching, wouldn't know that. That's a compliment to a member in opposition, when a private member's bill is taken and incorporated by the government. I salute him for that particular reason.

There is a good deal to support in this particular bill, and I think most members who have spoken on this certainly have said that. However, there are some things.

The government says it has consulted more than any other government. I find that hard to believe. It has consulted more than any other government on pieces of legislation that have been the least important. It has certainly not consulted with the people on the most significant of bills. You need to look at "consultation" by this government, in my opinion, in that particular light.

2040

The bill itself is not particularly large, although there is a draft plan that I see, and I've had a chance to review this. I note in the explanatory note—one of the shortest explanatory notes; it's almost as short as the title of the bill is long—that "This bill provides a framework for the establishment of the Oak Ridges moraine conservation plan, which would govern land use in the area of the moraine. The objectives of the plan are set out in section 4 of the bill." And that's it.

As you go into the bill a little bit, it identifies the role of the minister. As in most political systems, the buck has to stop somewhere, or there is a delegation of authority to an agency or some grouping that will play the role of either watchdog or of guardianship for the particular area. In this particular case you're talking about the Oak Ridges moraine. "The minister may, by regulation, establish the Oak Ridges moraine conservation plan"—he may—"for all or part of the Oak Ridges moraine area." So he "may." It is not, "the minister shall," which in legalese parlance is an important distinction.

It goes on, "The minister shall ensure that a review of the plan is carried out every 10 years...." Ten years is a long time. One can do a lot of damage in 10 years, let me tell you. I've seen it happen in many areas. I have a hospital in my riding called the Grace Hospital, run by the Salvation Army, that was deemed to be not worthwhile. Of all people, imagine that. A fantastic hospital, and it was demolished. It's a pit and there is something being rebuilt on the site right now. That was a sad day. So I know what can happen in short order. I know how quickly you can chart out a subdivision and put up housing within a year or two, contrary to what the developers say when they talk about their time frames when they first purchase land etc. So I have some questions. There will be some amendments coming forward that will address this particular issue.

One I will cite is a sensitive one, and that is that there is no condition or qualification, it seems to me, related to aggregates—aggregate pits or mines or whatever you want. As many of you know, aggregates are important in the construction industry, so we have to look at ways in which we can find those pits. It seems to me we have a lot in Ontario. But they can also be a heck of an eyesore. An aggregate field is the beauty of a lot of the moraine because it's the filter system through which water that may be polluted filters its way through rock, shale, stones, pebbles and sand, and after a while becomes purified and goes into the aquifer. So it plays a very important role. Having said that, can you imagine that there are no qualifications at all on this? It would seem to me that at some point there has to be some relationship between the integrity of the particular environment that has been protected and indeed the need for aggregates. So I would identify that one as one particular area.

There's another thing that does worry me. The member from Scarborough East talked about how the government had identified the Rouge Valley, and I can remember as Minister of Government Services providing some support to try and protect the Rouge. The Peterson government in 1988 did say, "We will have no further development in this particular area and it will be protected for generations to come." It didn't stay in power long enough to put through the actual mechanism of what that would be, a conservation authority or a special watchdog commission or whatever it was. That was done at a later date, and I acknowledge that. It went through three different governments.

But I must tell you that I was shocked somewhat when I went to the Web site today and looked at the lands in Pickering, where everyone knows the lands have now been swapped, land that developers owned in the moraine; they're in the Pickering-Seaton area, which is smack against the Rouge Valley, Rouge Park. Some of the disturbing comments that were made suggest to me that many of the good people who were concerned about this a few years ago are now worried sick, that there's continued erosion by the conservation authority in the Rouge Valley area and that it's not as safe as we hoped when we talked about this being a grand opportunity for

an ecological wonderland within minutes of a major metropolis called Toronto.

I raise the questions and also cite a few comments that were made by some writers this morning—"Pickering Set to Buck Moraine Land Swap"—when they said that sensitive lands have been swapped for sensitive lands. If that's the case—and I read here that there is already mobilization of some people in the Seaton area who are saying: "Just a minute. We fought this battle years ago, when this land was being expropriated for a federal airport, which never did happen. Now it seems we may have to fight again, because we don't know the conditions under which so-called development may take place."

Those are a few of the concerns I have. I would like at this point to extend to my colleague from Thunder Bay-Superior North the last five minutes of this 20-minute opportunity.

**Mr Gravelle:** I want to thank the member for Ottawa Centre for his thoughtful comments, as always. I think it's important to remind members of the government of the involvement we on this side of the House have had in terms of this issue for some time. We've been fighting for the protection of the Oak Ridges moraine for many, many years now. Although again we are pleased to see this legislation finally come forward, there is no question that there are some real concerns about what we view as being holes in the legislation, which I would hope the government members themselves would be sensitive to.

Certainly the fact that the land swap—which seems to have been the key to finally pulling this announcement together last week—was done essentially behind closed doors is obviously a great concern. As my colleague from Ottawa Centre pointed out, it's an exchange of environmentally sensitive lands, in essence, and there are some who have said to me that the lands in Seaton are indeed even more environmentally sensitive. So I think it's very important that we have an opportunity to look at that in terms of the deal. What does this mean for the developers? What kind of sweetheart deal have we got here? Quite frankly, we'd rather not be making those kinds of comments, except for the fact that the details are not there for us to see. I think that's something that all members of this Legislature and certainly the public should be concerned about. We want this legislation to work.

There are other aspects of it that give us concern as well. The fact that the minister can, by regulation, basically decide that the process isn't working and can get rid of it—he can do that under this legislation. That is something that gives us a great deal of concern as well. Those are areas of concern.

One of the examples of how the process can work, which has been used by the members of the government a couple of times tonight, and probably previously, has been the Lands for Life process, which I'm very familiar with, coming from northern Ontario. Well, there have been a lot of serious concerns that we in northern Ontario have expressed about the Lands for Life process, now

called the Living Legacy. We're watching that one very carefully as well. I can tell you that even during the several-year Lands for Life process, we were concerned about how the consultation was really being done. Was it being fairly done? Were we being listened to?

**2050**

Certainly we are very glad to see that this legislation is on the table. We are very, very pleased that in general most environmental groups are happy with this, and most people who have fought very hard for the protection of the moraine are very happy about this. But there are some real concerns. There are concerns about the Bayview expressway being pushed up through the moraine. That's a real concern as well. We want to make sure these protections really are in place.

Some of the other concerns that have been expressed are related to transition issues. Development applications in the settlement areas that were in process but that had not yet received final approval before the May 17 development freeze will be allowed to proceed under the old planning rules. Development applications that had started in rural areas will be allowed to proceed under the old rules with only minor environmental protections. This is a concern we obviously have. Overall, 15,000 new homes may be allowed to sneak in under the old planning rules. That's a great concern, and I think the member for York North got it wrong when she was talking earlier about grandfathering. These are concerns.

Certainly the new infrastructure, including the major new 400-series highways—we can't necessarily allow them to go through the areas of the moraine. We have to make sure this legislation actually does the job it's supposed to.

My colleague for Ottawa Centre made reference in his remarks to the enforcement and oversight of the plan, and to the putting together of a commission. I think an independent authority or commission with dedicated resources is required to oversee and enforce the moraine plan to make sure it happens.

There continue to be a number of issues that we want to have addressed, and I think it's responsible for us to be asking that these issues be addressed. You can't simply say, "Thank you very much. This is perfect," when it's not, when there clearly are holes in it, when there's a concern about the details related to the land swap, when there are concerns about the minister's ability to actually close out the whole process if he or she sees fit, depending on who's in place. We can't have that.

These are concerns we want to express, certainly concerns that my colleague Mike Colie, from Eglinton-Lawrence, expressed extremely well in his remarks earlier and ones that I know we will continue to express. We want this legislation to work as much as anybody else does. Therefore we think it's important that the consultation process and the committee process that goes on afterwards be allowed to bring these things out and make those corrections and hopefully the amendments that will indeed make this a worthwhile piece of legislation.



**The Acting Speaker:** Comments and questions?

**Mr Tilson:** I'd like to respond to the members of the Liberal caucus who have entered the debate with respect to Bill 122. I'm pleased they're going to support the bill.

You know, there has been widespread support of the bill from the media, from the public. I'd like to briefly refer to an editorial in support of the Liberal members from the November 2 Toronto Star: "Municipal Affairs Minister Chris Hodgson called it a monumental occasion. And he's right." He is right. It is a monumental occasion. The Star goes on to say: "Residents deserve credit for speaking out. Hodgson and his cabinet colleagues deserve credit for listening." This is an interesting statement: "Three provincial governments have grappled with this tough issue. Finally, this government has acted."

The only criticism I have—and I don't want to provoke the Liberals, because it appears they're going to support the bill. They boast about what they've contributed to the process. This goes back to the time when they were in office, and they did zippo, absolutely zippo. Now they're coming along saying how wonderful they are.

The Toronto Star talks about: "The measures proposed by Hodgson yesterday would entrench in law many of the recommendations of a provincial panel that worked over the summer to develop a moraine policy.

"The legislation would protect the most sensitive parts of the moraine—wetlands, woodlots, fish and wildlife habitats—and link them by natural corridors. Most new development would be restricted to existing settlement areas, which make up just 8% of the moraine." This is the Toronto Star that's saying these things.

They talk about the land swap and how former Mayor David Crombie negotiated a land swap—I have run out of time, other than to say that the paper says an "important landmark has been saved for future generations."

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I'm very happy to be able to add two minutes of comments on my colleagues' participation on this bill. I want to echo their praise of our colleague Mike Colle, who has really provided the leadership on the issue of preventing development on the Oak Ridges moraine. We know that at a time when the government was not particularly interested in any kind of protection of the Oak Ridges moraine, communities on the Oak Ridges moraine were feeling frustrated because there was no one to listen to them and their concerns about the preservation of the environmental sensitivity and the ecological diversity that's represented on the Oak Ridges moraine. It was Mike Colle who went out and met with people in those communities, literally hundreds and hundreds of people in those communities, to hear their concerns and to help them have a voice and to have the government hear their voice.

Needless to say, we were absolutely delighted when the government, recognizing the concerns of those communities which had been voiced through the efforts of our colleague Mr Colle, decided that they would, in a somewhat unprecedented move for this government,

move to have protection of the Oak Ridges moraine in a fairly substantial way. I do want to recognize that it is a substantial move to provide that kind of environmental protection of a significant piece of land that was potentially going to be urban developed land. I happen to have been Minister of Natural Resources when the last significant preservation of land in southern Ontario took place, and that was the preservation of the Rouge valley park, so I know how much it means to people when governments are prepared to make that kind of commitment.

I do want, however, to recognize the concerns that were raised by both of my colleagues around the land swap. I think there are still questions to be asked about the values of the lands that the developers were planning to develop on the Oak Ridges moraine, and I think there are also questions about sensitivity of those lands.

**Mr Maves:** The members opposite, I want to talk about their comments in a second. The member from Thunder Bay again fell into the attempt to take a little too much credit for members of her party for the Oak Ridges Moraine Conservation Act, 2001. I mentioned earlier that I could probably count on one hand the number of times the member from Eglinton-Lawrence mentioned the Oak Ridges moraine between 1995 and 1999. I actually went and did the Hansard check. I can't count it on one hand because the answer is zero. I don't even need one hand.

In fairness, since he became the critic for municipal affairs after the 1999 election, and after Mr Gilchrist raised the issue and he was concerned about the issue as the Minister of Municipal Affairs, then he started to be concerned about the issue and perhaps meet with people and agitate on the issue and seek some change on the issue. I'll give him that. But let's be honest, johnny-come-lately, it wasn't until after 1999 when the Minister of Municipal Affairs Steve Gilchrist raised the issue that members opposite tweaked to it and started to do something. I want to be clear about that and I want to be fair.

Members opposite, when they spoke, complained about aggregates and that we are still proposing that aggregate operations in some of these areas can continue. We have to be clear on this. In fairness to the people of Ontario and the municipalities around this province, which the members always purport to speak for, municipalities are one of the largest users of aggregates throughout the country. To continually push aggregates further and further north is to raise the cost of those aggregates. It is bad for the environment, actually, because trucks have to go up to the north and then we have that problem. The plan would permit only existing aggregate operations in natural core areas. There's a minimum width of 1.25 kilometres of natural linkage area for these operations. We did take this into consideration.

**The Acting Speaker:** The member for Ottawa Centre has two minutes to respond.

**Mr Patten:** I want to thank the member from Dufferin-Peel-Wellington-Grey—that's quite a lengthy riding name—the member from Thunder Bay-Atikokan and the member from Niagara Falls.

Commenting on aggregates, just to touch on that, I don't think anyone was complaining about it other than to say that in terms of aggregates we are well aware that they're important to the construction industry in all its facets. But that seems to be in the bill unfettered. There are no limitations whatsoever. It is excluded from conditions, and it seems to me, to carry that a step further, that all of a sudden aggregates are a way in which you can destroy some of the environment, because it is open-pit mining at its best. The moraine would lose part of the value it has, and that is that it is a major sponge that cleanses rainfall or sewage or impure water before it reaches the aquifer. So I simply add that particular point.

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I want to reinforce that there are many examples where I come from, for example. In my riding, which is an urban riding, a suburban riding, with a touch of agriculture by virtue of the experimental farm, there are good examples of protected lands by virtue of its utilization and a respect for the environment. Across the river in Quebec, the Gatineau Park is a fine example. This is with the National Capital Commission, which has protected major pieces of land there. There are some excellent examples for this.

At the end of the day, everyone hopes that this is a great success. Our worry is that there are always problems. We need to have a mechanism in place in order to address those.

**Mr Marchese:** I'm happy to have 20 minutes to speak on this bill. We sometimes don't get enough time to debate, but 20 minutes on some issues is probably more than what we need, given that our lead critics have an hour to discuss this and to raise a whole lot of points that need to be raised. Our critic is Marilyn Churley from Toronto-Danforth. She has stated support for this bill and concern about this bill, to which I will speak. She, along with many others, has said that this is in many ways a victory for the environmental community and the people of the 905.

I've got to say to the good citizens watching—by the way, it's 9 o'clock on a Tuesday night. Welcome to a political forum.

It's good to tell you that this government has listened to the people of the 905 in a way that they don't listen to some other communities. When we in Toronto took the government on when it decided on its own, unilaterally, that it would amalgamate all of the cities within the metro region into one big city of Toronto, when they decided unilaterally that that was best for Toronto and they, the people of Toronto, said no to that plan, this government didn't listen to Toronto, did not listen to those activists, did not listen to those people who tirelessly would meet once a month, in some cases once a week, to discuss strategies to defend themselves against the aggression of this government that simply would not listen. It is a wonder to me that the people of the 905 have in this particular incident been victorious in many respects.

Why is it that the people of the 905 have been more victorious than the people of the 416? It's because they—

you—have more clout with this government than the rest of us. It's sad, isn't it? It's sad to think that mere geography could give you more power in the 905 than we in the 416; mere geography could create such gaps, such a distance, could create such a difference in the way this government would either listen to you if you're in the 905 or simply dismiss you, as they have done with respect to amalgamation in the 416, particularly Toronto. It's sad, it's unfair, it's is iniquitous. It shouldn't be so. It should be that you would treat everybody justly and fairly.

But lo and behold, there is an election looming and the Tories, God bless them, are not doing as well as they would like. Maybe they're not praying as often as they should, I don't know, but they're falling in the polls. Eh, Jimmy?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** We are not. We are in the same place we always were.

**Mr Marchese:** You've dropped, Jimmy, come on. The Minister of Energy knows that they dropped in the level of support. He knows that. The people of Ontario know it, Jimmy.

**Hon Mr Wilson:** We have not.

**Mr Marchese:** If you don't, then you're lost and you shouldn't be there and driving the limousine. Please. You're slipping.

**Hon Mr Wilson:** You're full of myths.

**Mr Marchese:** When you get the two minutes you can tell the good people of Ontario that you are right up there and that they still love you as they did in 1999. They don't like you as much any more and for good reason. I don't know why they didn't boot you out in 1999. But the voters are the ultimate word.

**Hon Mr Wilson:** You just make this up. You've read one article that said we were lower.

**Mr Marchese:** I don't know. I believe you've slipped and you're slipping. But it's important to maintain the mythology that you guys are doing well, in the same way that you maintain the mythology that the economy is great because you people have introduced an income tax cut. By the way, Jimmy, in the same way you argue you're at the same level of support, that nothing could bring you down, similarly you argue—

**The Acting Speaker (Mr Raminder Gill):** Member for Trinity-Spadina, will you address the member by the name of his riding, please, rather than saying "Jimmy."

**Mr Marchese:** In the same way the member from Simcoe-Grey argues that you guys are still up there in popularity, which is a mythology you need to put out to the public—it's the same mythology you're putting out to the public that the income tax cuts are the things that have kept the recession at bay. Yet we are deep in a recession, and clearly you have not created a recession-proof economy. You're slipping. We're slipping. We've lost 26,000 jobs and, I tell you, it's not going to be pretty in the next year. It will not be pretty. I know you want to maintain the mythology that you're doing fine, that the economy is fine and that if it were not for you it would be



worse, that the income tax cuts you have instituted, both personal and corporate, are the things that are holding the economy up.

You have given away billions and billions of dollars. Cumulatively billions will never be recovered, lost forever, including the \$1 billion you just gave away because you wanted to give \$200 to every working person in Ontario—\$1 billion just gone, lost forever, never to be recovered. In the same way that you think this economy is holding up well because of your policies—I tell you, people are understanding and learning that things are not so pretty, they're not as rosy as you paint them to be. They're not, and people are feeling it.

**Hon Mr Wilson:** We just had an economic statement telling you it wasn't rosy.

**Mr Marchese:** The economic statement, member from Simcoe-Grey, said, yes, things don't look so good, but they are in good hands, they're holding steady to their tax policies. "They're slipping a little, but don't you worry," the Minister of Finance said, "Next year things will be much better. And the year after that, the economy will be booming," as if somehow he has this omniscience about him. Have you noticed how smug your Minister of Finance is? He's so smug. He doesn't look at the critics when he speaks to them. He never answers their questions. He dismisses them ever so smugly. Do you notice that, Acting Speaker? I've noticed that. I don't quite understand where and when he has acquired this smugness. His inability, or unwillingness, to answer questions puzzles me all the time. He thinks it's a skill, but I have to tell you that not once have I listened to this man answer questions in some genuine, frank way.

Anyway, the point is the economy is slipping. Your tax policies have failed, and you've given cumulatively billions and billions of dollars we will never recover. As a result of that, because of the balanced budget law they instituted, when we are deeper into this recession, they won't want to get into a deficit position. What do you think will happen, good taxpayers and good citizens? If you thought that in this good economy we saw a hospital system in disarray, our health care system in disarray, our educational system in disarray, where teachers are disillusioned, dispirited and quitting, if you think that was bad, including an environmental ministry that's been decimated, a labour ministry that's been decimated, a natural resources ministry that's been decimated—if you think it has been had in good times, wait and see when next year emerges ever so slowly, and it will, like every sunrise; well, the sun doesn't shine all the time. But it will surely come: you will find that these people are going to cut so deep, deeper than they've done in good economic times, and it's not going to be pretty.

I'm saying to you 905 residents that you have done a good job of persuading this government to protect the Oak Ridges moraine. You've done it. Yes, the critics of the Liberal Party and the New Democratic Party—Marilyn Churley from Toronto-Danforth—have reminded the government of its obligation to protect the Oak Ridges moraine. We've done that as opposition members.

But the ones who have reminded the government of its obligation were you good citizens, all you men and women.

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We were told by Mr Colle that a lot of women have been great organizers in keeping this minister and this government in line. And now they proudly come and say, "We've always been supportive. We are the only government that has responded on this issue. Neither the Liberals nor the New Democrats have ever been brave enough to do it. Only the Tories have done it," as if they've always been concerned about the environment. They tell it like they've always been environmentalists.

I have to tell you, good Ontarians all, the Tories have been able, on one hand, to resist the developers by saying, "No, you cannot build in the Oak Ridges moraine." They resisted them, held them at bay, because you were persuasive enough to convince them that your vote matters more than the developers' support for this government and the good-smelling green dollar that comes their way for all the good things they've done for the developers. They know they can't displease the developers, but they know that to displease you in the 905 would be worse, because your vote is more important than the developers' money that may not flow as fast or as much as it might have. But that land swap should still keep the developers happy.

While they made you 905ers happy, they now have to contend with Pickering. While they protected the Oak Ridges moraine, they now have to deal with people in Pickering, dealing with the Seaton lands. While many of you said, "No, you can't go here in the Oak Ridges moraine," others in the Seaton lands, in the Pickering community, are going to say, "Hold on a moment. This is an environmentally protected area." Hopefully their members, the Conservative members, from that area will say, "We as a government will defend it to the end."

Surely the government would find a different kind of swap—like the Ataratiri lands, as an example, which could have been developed—as opposed to going into the Pickering area, which will gobble up environmentally sensitive lands. On one hand, you saved yourselves in the 905, but I don't know how you're going to deal with Pickering, because those communities are going to be equally angry with you. I don't know how—sitting at the table with a couple of good people, as you say you did—you came up with an agreement that would solve the Oak Ridges moraine problem and never did that group think that maybe the people from the Pickering area and the Seaton lands would be unhappy. I don't know if you thought that through. Surely those good people would have thought about it, but I'm not sure what they thought about. So the swap is not entirely a good thing for all Ontarians, in terms of our concern for protection of environmentally sensitive lands.

What concerns me as well with respect to this is that the swap, in my view, ought to be as transparent as possible—and I know you're not going to want to do that—because we believe this swap is giving the devel-

opers more than they ought to be compensated as a way of making them feel good. To make them feel good about the fact that you punished them, so to speak, you have to devise a compensation package that is richer than it otherwise should be to please them. I understand that you have to continue to please your friends, because the developers feed you guys, politically, just like some of the working folk support the NDP through their contributions of \$25, \$50 and in most cases \$100. That's about as much as we get. It's true that from time to time we get a little more from some individuals, but by and large, that's what the good folk of Ontario give to the New Democratic Party. But the developers know no bounds, and you know that. That is why—

**Mr Patten:** What about the union contribution?

**Mr Marchese:** The member from Ottawa Centre says, "What about the union contribution?" It's sad, member from Ottawa Centre, because unions support you guys as much as they support the NDP; it's truly sad. I have to tell you, you shouldn't have brought that up, because this is a bit of a problem for me as a New Democrat. Here I stick my neck out on the line for unions, and at the end of the day they come and give you money, give you support and give you, probably, more money than they give the New Democrats, and I say to myself, "Liberals never once supported a labour initiative when we were in power, yet they continue to give these people support and money." Why?

**Mr Patten:** A little bit; not much.

**Mr Marchese:** Add it up, member from Ottawa Centre. You probably get more than we do. We get about 15%, 17%, 20% of union support. That's about all we get. You Tories get all your money from the banks, the developers, the rich people, the ones who have the big, deep pockets. And the Liberals—

**Mr Garfield Dunlop (Simcoe North):** Don't kid yourself—

**Mr Marchese:** No, be fair. The Liberals always denounce you guys as the only ones who are perched there on the wire waiting for corporate dollars, but these people have the same kind of fundraisers and the same kind of corporate donors: banks, insurance companies, developers. Greg Sorbara probably knows a couple. But you guys are all so deeply connected to the same network. These same guys go to the Tory parties as go to your party. So please, member from Ottawa Centre. I don't mean to attack the Liberals at this moment, because I'm trying to attack the Tories. Don't distract me.

**Mr Dunlop:** You might as well attack them.

**Mr Marchese:** If they distract me, then I have to attack the Liberals as well, right? And I don't want to do that all of the time; I just want to do that some of the time.

So we get a little support from the working man and woman out there in the streets, the ones who are working, the ones who are making a living of sorts. But David Turnbull, Minister, all of your money comes from these developers. So you said, "OK, look, we know we're

making you unhappy. We're going to give you a swap. We'll give you a little more. Don't tell anybody, because we're not about to put things out on the table or make this whole process transparent, but between you and I"—nudge, nudge—"it'll be OK. You'll be able to build your 8,000 residential units, no problem, but please, please don't fight us. Let's work together on this, because we have a stake in it, you and me together."

**Mr Dunlop:** If you had wanted to work together, you would have done something about the Oak Ridges moraine. You did nothing.

**The Acting Speaker:** Order.

**Mr Marchese:** I know, you guys are the only ones who all along were just so environmentally concerned—

**Mr Joseph Spina (Brampton Centre):** You didn't even know what a moraine was before—

**Mr Marchese:** Oh, yeah, of course, Marchese doesn't travel that far. While that's true, Joe—I don't travel that far; you're quite right—we are certainly a bit aware of Ontario and the importance of the Oak Ridges moraine. The member from Toronto-Danforth reminded you of that on a regular basis. You know that. You don't need to live there to know that's an important area that we need to protect. You don't need to know that the people of the 905 were so concerned that they fought you every step of the way. We listened to them as you were listening to them, quite clearly. The election is coming close, Joseph; you know that. The election is so close that if the 905 doesn't support you, you are in big, big doo-doo. You know that; I know that. So all of a sudden you've become good listeners. It's intriguing to know that you've become good listeners.

This compensation that you're providing, is it given at the value of the land as it relates to agricultural land, or residential, is something we want to know. Please make it clear because the value of one or the other is different. Please put out on the table the nature of the swap, the value of the land—is it based on agricultural land or residential—because we think we are entitled to know those things.

We also want to remind the people of Ontario that the minister still retains the power, by regulation, of course, to revoke this plan that they are so proud of. I imagine they will say, "Why shouldn't we have the power to do that?" If you're so interested in protecting it and you're so good at consulting and listening, good heavens, you don't need that ministerial power to revoke the plan, because you guys are so good at listening, and you're so good at bringing people together to solve the questions that are in the minds of Ontarians. Therefore, please take that power away. You don't need it, Minister.

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And the 10-year review—I have to tell you, I'm a bit worried about that 10-year review. While some people think it's a good idea, I'm not entirely sure what it means. What that 10-year review means in my mind is that if you can win the election for the next time around, gain the confidence of the 905, if you get to that 10-year



period, by that time you'll say, "We can do anything we want." That's what it's all about. That's what worries me about the 10-year review.

But, good Ontarians, don't worry, because this government is so consultative, and they're so good at bringing together round tables of concerned citizens to protect the environment that you need not worry about that ministerial power. You need not worry about that 10-year review, because you'll be part of the process and you'll be able to remind the government what good listeners they are and will be.

**The Acting Speaker:** Comments and questions?

**Mr Dunlop:** Thank you very much, Mr Speaker. It's good to see you back in the chair.

I'd like to congratulate the member from Trinity-Spadina for his comments. Again, I'm a little curious about where he's coming from on some of his comments. This Bill 122, the Oak Ridges Moraine Conservation Act, has been so positive, has had such a positive response across our province, it's hard to believe people are finding any fault with it at all. You're searching for anything tonight. You talked about the Liberals and who's contributing to their campaign, and you're accusing our government of only receiving campaign contributions from developers, which of course is absolutely wrong. I'm sorry to hear that.

On the other hand, the Liberals are trying to claim it was a Mike Colle bill. I found that was amazing, as I heard the debate over the last few evenings.

The fact of the matter is that Minister Hodgson, when he introduced the moratorium a few months ago, created an advisory panel made up of representatives from municipalities, from the aggregate industry, from the development industry and from environmentalists and naturalists. I think it was a very positive step that he took there when he created the advisory panel. They've come forward with great recommendations, recommendations that are unprecedented in the history of our province. Every government ahead of us had the opportunity to create this piece of legislation. They did nothing. This government—I will give Minister Hodgson and the cabinet full compliments on the fact they've made this important step in the history of our province. I wish everybody would support this piece of legislation and I fully expect that everybody will support this piece of legislation. Thank you for this opportunity.

**Mr Patten:** It's a distinct pleasure to respond to my friend from Trinity-Spadina, who has a particularly engaging approach to presentation. He didn't dwell too long on the bill, but he did make a couple of points that I thought were worthy of highlighting. One was the point that somehow this government listens differently to what happens in the 905. I just want to add to that particular comment, because I think was a fairly astute observation, and others would share it, that without the support of the 905, this government would fall or this party would not be in government. After having lost two out of three elections in the last little while, there's perhaps a wakeup

call that maybe they should take a second look at some of their policies and review them.

In the minds of many people, this was an about-face by this particular government in supporting something of this nature, when they were so adamant, with their feet dug in, because of all of what's at stake with the developers they had. Somebody came up with the idea of a swap with government-owned lands in Seaton, in the Pickering area right next to the Rouge Valley.

I do want to say that the member alluded to the nature of the swap, which we're all going to be watching as closely as possible, whether this is truly fair in terms of the people of Ontario, the taxpayers, or whether this is going to be a way of giving more value to developers who had something in order for them to be happy about the arrangement.

There's an opportunity to create a new kind of community out there that may be beyond simply the usual—

**The Acting Speaker:** Thank you. Questions and comments.

**Mr Maves:** As we near the end of the evening, it's a pleasure to rise and comment on the member from Trinity-Spadina's speech. I'm sorry to have to say to part of his comments, something the Liberals just supported, it's complete bunk, this concept that this government listens only to the 905 area because the 905 area has supported this government. Yes, they did support us, with a great deal of support, but had anyone across the way listened to my comments earlier about the Lands for Life process? For two years we were up north; we were all over the province.

We weren't in the 905 area for the Lands for Life process. We listened to miners, we listened to foresters and we listened to environmentalists. The result of that listening process was that we set aside more parkland than anyone has ever set aside in the history of this country—in fact, probably in the history of most jurisdictions in the world—something for which we've gotten recognition from people all over the world.

These theories they advance about, "They only listen to the people who supported them," is bunk. We listen to the people who vote for us all the time. Of course, we do. They said, "Implement your platform." We did. We ran again in 1999 on a platform and we are implementing that platform. We listened to the voters. It's a concept that's foreign to them, but it's something that's a hallmark of this government. Their conspiracy theories are garbage.

Before I finish, I want to thank my nephew Matthew for attending with me all day. We got up very early this morning and drove in. He stuck with me all day, through all kinds of meetings and through the House for bring-a-nephew-to-work day.

I again want to remind people about the Royal Agricultural Winter Fair at the CNE. Get on down there. I didn't mention Gayle MacPherson earlier and I should have. She's the chair of the fair and doing a great job. So get out there and support the fair.

**Mr Gravelle:** Let me welcome the nephew of the member for Niagara Falls as well. Matthew, it's good to have you here.

What's the expression? The devil's in the details. I don't think even the government members would be particularly critical of us for trying to look very closely at a piece of legislation we've been waiting for for a long time. It's very important that this legislation achieve its stated goal. Therefore, we hope the concerns we have will be listened to.

The fact that we have thanked our colleague from Eglinton-Lawrence for his hard work I think is something that's quite legitimate as well. Clearly it is recognized that he's worked very hard, particularly over the last two and a half years, to make sure the government listens to him on this. The fact is that we have an obligation on behalf of the citizens of this province, and certainly the people of the Oak Ridges moraine, to fight to make sure this legislation truly achieves its purpose. I would hope the government wouldn't be critical of us for that.

One looks at legislation that was introduced just yesterday, the Ontarians with Disabilities Act, a piece of legislation we have been fighting for for six and a half years to get this government to bring forward. Yesterday the legislation was brought forward and some positive comments were brought forward about it. Like everybody else, I want that legislation to be extremely meaningful. I must admit that the more I look at it, the more concerns I have.

I want to talk about the disabilities community. The fact is that it is the second time it has been brought forward. It was brought forward the first time and it had to be withdrawn; it wasn't there. If indeed the government members get mad at us for perhaps not trusting them, for perhaps not believing that everything they put down is something that should be supported—that certainly includes this legislation right here—I would hope they would do the same thing we are doing, which is to look very carefully at legislation and make sure it is going to achieve the goal it is supposed to, and if it isn't, let's fix it.

**The Acting Speaker:** The member for Trinity-Spadina has two minutes to respond.

**Mr Marchese:** Thank you to those who have responded to me. The member for Niagara Falls says, "Yes, we listen to the people who vote for us." That is a direct quote. Of course they listen to the people who vote for them. That's why they listen to you from the 905, at the expense of so many others in the 416. We, in Toronto, weren't listened to but you in the 905 were because, like the member for Niagara Falls says, "Why is there a problem in supporting those who vote for us?" He's quite correct and quite open about it. Is there anything sinful or immoral about supporting those who vote for you? I guess not.

But as to listening to the others who have had serious concerns, where 80% of the people in Metropolitan Toronto voted against amalgamation, what do you people do? "Sorry, we have other plans for you. Yes, we only have six members in Metro, but we have more in the 905. We only support those who vote for us." There is a double standard and this government plays it well.

The member for Niagara Falls says, "It is just simply illusory. It is just bunk coming from the opposition benches. Don't listen to them because we listen to everybody." It's true they didn't listen to Toronto when they were amalgamating and they forced amalgamation on us, but that was then. "Now, in the 905, when so many of you are concerned about the protection of our water, as well as protecting open space and wildlife habitat, yes, we are listening to you. But please, we are going to listen to you again. Yes, we are making the swap with the people from Pickering. Yes, we are protecting the Oak Ridges moraine. Do we have a problem with Pickering now in terms of protecting that? What are we going to do?"

I hope you're going to listen to the people of Pickering as you did to the people from that area of the Oak Ridges moraine. I hope you will.

**The Acting Speaker:** It being past 9:30, this House stands adjourned until 1:30 tomorrow.

*The House adjourned at 2131.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Flamborough-Aldershot		Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Prue, Michael (ND)	Hastings-Frontenac-	Dombrowsky, Leona (L)
Bramalea-Gore-Malton-	Gill, Raminder (PC)	Lennox and Addington	
Springdale		Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton Centre / -Centre	Spina, Joseph (PC)		Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton West-Mississauga /	<b>Clement, Hon / L'hon Tony</b> (PC)	Kenora-Rainy River	Gerretsen, John (L)
Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée		
Brant	Levac, Dave (L)	Kingston and the Islands /	Wettlaufer, Wayne (PC)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	<b>Witmer, Hon / L'hon Elizabeth</b> (PC)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC)	Kitchener Centre / -Centre	Minister of the Environment /
	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	ministre de l'Environnement
Cambridge	Martiniuk, Gerry (PC)		Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	<b>Sterling, Hon / L'hon Norman W.</b> (PC)
Davenport	Ruprecht, Tony (L)	Lanark-Carleton	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Don Valley East / -Est	Caplan, David (L)		<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC)	Leeds-Grenville	<b>Cunningham, Hon / L'hon Dianne</b> (PC)
Dufferin-Peel-	Solicitor General / solliciteur général		Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Wellington-Grey	Tilson, David (PC)		Wood, Bob (PC)
Durham	O'Toole, John R. (PC)	London North Centre /	Mazzilli, Frank (PC)
Eglinton-Lawrence	Colle, Mike (L)	London-Centre-Nord	<b>Tsubouchi, Hon / L'hon David H.</b> (PC)
Elgin-Middlesex-London	Peters, Steve (L)		Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC)	London West / -Ouest	<b>Sampson, Hon / L'hon Rob</b> (PC)
	Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	London-Fanshawe	Minister of Correctional Services /
Essex	Crozier, Bruce (L)	Markham	ministre des Services correctionnels
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC)		DeFaria, Carl (PC)
	Minister of Labour / ministre du Travail	Mississauga Centre / -Centre	Marland, Margaret (PC)
Etobicoke North / -Nord	Hastings, John (PC)		<b>Snobelen, Hon / L'hon John</b> (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Mississauga East / -Est	Minister of Natural Resources /
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Mississauga South / -Sud	ministre des Richesses naturelles
Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC)	Mississauga West / -Ouest	
	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC)		
	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	<b>Baird, Hon / L'hon John R. (PC)</b> Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan (PC)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	<b>Harris, Hon / L'hon Michael D. (PC)</b> Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim (PC)</b> Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Northumberland	Galt, Doug (PC)	St Catharines	Bradley, James J. (L)
Oak Ridges	Klees, Frank (PC)	St Paul's	Bryant, Michael (L)
Oakville	<b>Carr, Hon / L'hon Gary (PC)</b> Speaker / Président	Stoney Creek	<b>Clark, Hon / L'hon Brad (PC)</b> Minister of Transportation / ministre des Transports
Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Sudbury	Bartolucci, Rick (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian (PC)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Thornhill	Molinari, Tina R. (PC)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Timiskaming-Cochrane	Ramsay, David (L)
Oxford	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parkdale-High Park	Kennedy, Gerard (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Perth-Middlesex	Johnson, Bert (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Peterborough	<b>Stewart, Hon / L'hon R. Gary (PC)</b> Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	Vaughan-King-Aurora	Sorbara, Greg (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet (PC)</b> Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Waterloo-Wellington	Arnott, Ted (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim (PC)</b> Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Willowdale	<b>Young, Hon / L'hon David (PC)</b> Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York Centre / -Centre	Kwinter, Monte (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Serio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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